

A. ANTONIO SANCHEZ
(Applicant)

04-11-CZ8-1 (04-113)
BCC/District 2
Hearing Date: 10/6/05

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ / lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1957	Susan F. Nelson	Zone changes from RU-3B to BU-2.	CC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decision



ZONING ACTION

MEMORANDUM

Harvey Ruvin

**Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners**

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com

August 25, 2005

**The hearing was cancelled (no hearing held) due to
hurricane Katrina.**

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

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DATE: March 17, 2005

#Z-

APPLICANT: B. ANTONIO SANCHEZ (04-11-CZ8-1)

MOTION: Deferral of the application to date uncertain with
leave to amend.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Carey-Shuler		X		
Diaz				X
Gimenez		X		
Heyman		X		
Jordan				X
Rolle	M	X		
Seijas				X
Sorenson		X		
Sosa	S	X		
Souto		X		
Vice Chairman Moss		X		
Chairman Martinez		X		
TOTAL		9	0	4

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Antonio Sanchez

PH: Z04-113 (04-11-CZ8-1)

SECTION: 15-53-41

DATE: October 6, 2005

COMMISSION DISTRICT: 2

ITEM NO.: A

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A. INTRODUCTION

o **REQUESTS:**

The applicant is appealing the decision of CZAB - 8, which denied the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The requests will allow the applicant to change the zoning on the property from BU-2, Special Business District, to BU-3, Liberal Business District; will allow a used auto/truck sales business on a lot with less lot area than required; ancillary auto/truck repairs with a greater percentage of the gross building area than permitted; a narrower landscape greenbelt than required; will waive the required 5' high decorative masonry

wall where a business lot abuts a residential district along the east property line; will allow 0 shrubs along the right-of-way; less landscape open space than required; and will allow the facility to be located closer than permitted from a residential district.

o **LOCATION:**

Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida.

o **SIZE:** 0.77 Acre.

o **IMPACT:**

The approval of the rezoning to BU-3 will allow more intensive business uses on the property than are currently permitted. In particular, the requests made by this application will be intrusive to the surrounding area.

B. ZONING HEARINGS HISTORY:

In 1957, pursuant to Resolution SP665, the subject property was rezoned to BU-2, Special Business District.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **business and office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, hi-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on local factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise and traffic, and in most wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; billboard

Business and Office

5

Surrounding Properties:

NORTH: BU-3; vacant parcel	Business and Office
SOUTH: BU-2; small retail center	Business and Office
EAST: RU-3M; church	Residential, 5 to 13 dua
WEST: BU-2; BAC Corporation	Business and Office

The subject property is located between NW 66 Street and NW 65 Street. The neighborhood where the subject property lies is characterized by retail centers and small commercial buildings on both sides of the NW 27 Avenue corridor. There are apartments and duplexes to the east of NW 27 Avenue and single-family residences to the west. Staff notes that the property was recently cleared and cleaned so that it is not unsightly.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	Unacceptable
Location of Buildings:	Unacceptable
Compatibility:	Unacceptable
Landscape Treatment:	Unacceptable
Open Space:	Unacceptable
Buffering:	Unacceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Unacceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F): In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and

whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311 (A)(4)(b). Non-Use Variances From Other Than Airport Regulations:

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c). Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-255(3). BU-3 Liberal Business District. Uses permitted. Automobile and truck services and facilities including:

- (a) Open lot car and truck sales new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:
 - (1) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Directors of Planning and Zoning and Public Works Departments for ingress and egress to the property,

shall be provided along all property lines abutting all public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum of spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

- (2) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.
- (3) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
- (4) That such uses be conducted on sites consisting of at least one (1) net acre.
- (5) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.
- (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
- (7) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
- (8) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
- (9) All outdoor paging or speaker systems are expressly prohibited. This provision (9) shall also apply to all establishments in existence as of September 10, 1996.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comments

* subject to conditions stated in their memoranda

H. ANALYSIS:

This application was deferred from the August 25th, 2005 Board of County Commissioners meeting due to cancellation of the meeting due to Hurricane Katrina, and from the March 17, 2005 meeting at the applicant's request with leave to amend. At the time of this writing, the applicant had not submitted any changes to staff.

The applicant is appealing the decision of the Community Zoning Appeals Board-8 which denied this application without prejudice by a vote of 4 – 0 pursuant to Resolution CZAB8-25-04. The CDMP states that all existing uses and zoning are consistent with the Land Use Plan (LUP) map. As such, the Community Zoning Appeals Board-8's decision to retain the existing BU-2 zoning is consistent with the CDMP. The applicant states in the appeal form that staff not only approved the application verbally but also did not mention or have any knowledge of any pending ordinance. The applicant further states that they paid their fees with the understanding that their plan would be approved.

Staff notes that the applicant has not produced any written documentation from the Department to substantiate the aforementioned claim. The Department's official recommendation submitted to the Community Zoning Appeals Board – 8 and to the applicant was and is for denial without prejudice of this application. In addition, staff has always made it clear to all applicants that the ultimate decision for approval or denial of their application rests upon the Boards. The Department does note that in the past there have been approvals of similar applications for used auto / truck sales along the NW 27th Avenue corridor.

The subject property is located on the east side of NW 27 Avenue and south of NW 66 Street. The applicant is seeking a district boundary change from BU-2, Special Business District, to BU-3, Liberal Business District, and intends to develop the site with a used auto/truck sales business with ancillary auto/truck repairs. The applicant is also requesting to permit the aforementioned used auto/truck sales with less lot area than required, the ancillary auto/truck repair to occupy a greater percentage of the gross building area than permitted, a narrower landscape greenbelt than required, waive the required 5' high decorative wall where a business lot abuts a residential district along the east property line, 0 shrubs along the right-of-way, less landscape open space than required, and to permit the proposed facility to be closer than permitted to a residential district. The plans submitted by the applicant depict the proposed used auto/truck sales facility with ancillary auto/truck repairs. The proposed building will be located on the southern portion of the site and the parking area will be located on the northern portion of the site. The proposed building will accommodate a showroom area, offices, and a repair area. An outdoor auto display area is provided along the north, south, and west sides of the property which will be separated from the rights-of-way by a 7' wide landscape greenbelt that will run along said property lines, except for ingress and egress. A 5' wide landscape greenbelt and a 5' high chain link fence are provided along the east property line. Gates are provided for the ingress and egress to the property which are from NW 65 Street and NW 66 Street. No ingress or egress is provided from NW 27 Avenue.

The Department of Environmental Resources Management (**DERM**) has **no objection** to this application. However, the applicant would have to comply with all of the conditions of DERM as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objection** to this application. Said Department will require, among other things, that the applicant dedicate the 25' radius corners at the intersection of NW 27 Avenue

and NW 65 Street and the intersection of NW 27 Avenue and NW 66 Street. This property lies within the urban infill area where traffic concurrency does not apply.

The proposed BU-3 zoning will allow the applicant to provide more liberal commercial services to the community, including but not limited to numerous intensive uses such as a used car dealer. Although not limited to such use by covenant at this time, the site plan submitted will allow the applicant to provide used auto/truck sales with ancillary auto/truck repairs to the community, a use currently not permitted as a matter of right on this BU-2 zoned property. Notwithstanding the highly commercial character of NW 27 Avenue, the east and west sides of NW 27 Avenue in this area are primarily zoned BU-2, which permits less intensive uses than the proposed BU-3 zoning district. With the exceptions of a used car lot which was approved via a use variance in 1993, pursuant to Resolution Z-106-93, for the block face located on the east side of NW 27 Avenue between NW 68 Street and NW 69 Street, and a rezoning to BU-3 on the block face directly to the north of the subject property with a covenant limiting the uses on the site to BU-2 uses and automobile, truck sales, rentals, and ancillary repairs, no other BU-3 uses or zoning have been granted in the immediate area. Staff notes that there have been few approvals for this type of use by the CZAB-8 since the enactment of Ordinance # 03-238 imposing certain landscaping, greenbelt, and lot area requirements and restrictions on open lot sales of new and used cars and trucks. On May 25, 2004 the Community Zoning Appeals Board-8 approved a zone change from BU-1 and RU-1 to BU-3 zoning and a used auto and truck business on a site located at 9704 NW 27th Avenue. Said use was approved pursuant to Resolution CZAB8-13-04 subject to the Board's acceptance of a covenant limiting the uses on the site. Further, on May 10, 2005, a zone change from BU-2 to BU-3 and accompanying requests for a lot area of 0.46 acres (1 acre required) and a landscape buffer with less width than required were approved on a site located on the southeast corner of NW 115 Street and NW 27 Avenue pursuant to Resolution CZAB8-10-05. The proposed open lot used car and auto sales was approved subject to the Board's acceptance of a covenant, which restricted the use of the land to the submitted plans; limited the hours of operation; prohibited the use of outdoor speakers, stringer lights, pennants and neon signs; prohibited the display of signs on the windshields; restricted the BU-3 use to a used car dealership; agreed to paint the facility no less than once every 5 years; agreed to install and maintain an irrigation system; provides for the proper maintenance of the landscaping to prevent deterioration; and agreed to post all of the aforementioned conditions in a place visible to all customers and residents. However, as of the time of this writing, no covenant has been proffered by the applicant. Although the proposed zone change to BU-3 on the subject property would be **consistent** with the Land Use Plan (LUP) map's designation of this site for Business and Office use, said zoning would be **incompatible** with the predominately zoned BU-2 surrounding area since it would permit more intensive commercial uses including the proposed used auto/truck business. Additionally, the site plan as submitted for the proposed used auto/truck sales with ancillary auto/truck repairs facility is unacceptable to staff, as it would be intrusive to the surrounding area.

When considered under Section 33-311(A)(4)(b) (NUV), requests #2 through 8 do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that Ordinance No. 03-238, which became effective on November 14, 2003, requires that the new or used open lot car and truck sales, in the BU-3 district be conducted on sites consisting of at least one (1) net acre, that a minimum of 20% of the net lot area of the site be developed as landscaped open space, and that a continuous, densely planted greenbelt of not less than 15' in width, except for ingress and egress, shall be

provided along all property lines abutting public rights-of-way or properties zoned residential. Other requirements pertaining to their location in relation to types of roadways, the use of attention attracting devices, outdoor lighting, test-driving, and outdoor paging and speaker systems were also included in the aforementioned ordinance. Said Ordinance was codified in Section 33-255 of the zoning code.

The proposed facility with a lot area of 0.77 acre (1 acre required) would be overly intensive for this site as evidenced by the accompanying requests. A landscape greenbelt varying from 5' wide along the east property line to 7'5" along the north, south, and west property lines will not adequately buffer the surrounding area from the proposed use. Although the residentially zoned property to the east is developed with a church, the neighborhood to the east is residential in character. Allowing a used auto/truck sales with ancillary auto/truck repairs facility located 29' (500' required) from a residential district would be overly intensive to same and the narrower than required landscape greenbelt would cause the short distance of the proposed use from the residential district to be even more intrusive to same. Additionally, waiving the required 5' high wall where a business lot abuts a residential district along the east property line would also add to the intrusiveness of the proposed use from said residential district. The applicant is providing less landscape open space than required and the ancillary auto/truck repairs would occupy 60% (15% permitted) of the gross building area which will add to the over intensity of the proposed use on this site. Further, allowing 0 shrubs along the right-of-way would not adequately buffer the proposed use from the surrounding area. The aforementioned requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. As such, Requests #2 through 8 do not meet the standard under Section 33-311(A)(4)(b) (NUV) and cannot be approved under same.

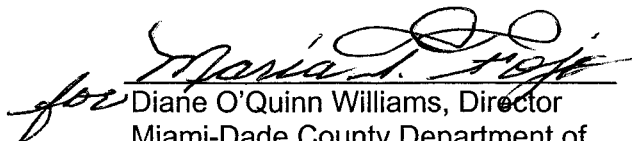
When Requests #2 thru 8 are analyzed under Section 33-311(A)(c) (ANUV), the applicant has not proven that a literal enforcement of the provisions thereof will result in unnecessary hardship since this property can be developed in accordance with BU-2 zoning standards. As such, said requests cannot be approved under said standard.

Accordingly, staff recommends denial without prejudice of the appeal and of the zone change to BU-3; and denial without prejudice of Requests #2 through 8 under Sections 33-311(A)(4)(b) (NUV) and (c) (ANUV).

I. **RECOMMENDATION:** Denial without prejudice of the appeal and of the application.

J. **CONDITIONS:** None.

DATE INSPECTED: 09/21/04
DATE TYPED: 09/30/04
DATE REVISED: 10/22/04, 10/26/04, 10/28/04, 11/10/04, 1/28/05, 02/01/05, 08/08/05,
09/09/05, 09/26/05
DATE FINALIZED: 09/26/05
DO'QW:AJT:MTF:JDR:CSE


for Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning



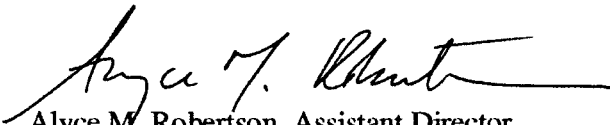
MEMORANDUM



TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: June 14, 2004

SUBJECT: C-08 #Z2004000113
Antonio Sanchez
E/S NW 27th Avenue & S/O NW 66th
Street
DBC from BU-2 to BU-3
(BU-2) (0.77 Ac.)
15-53-41

FROM: 
Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

The property is located within a Brownfield area; therefore, an environmental assessment may be required prior to the approval of any drainage system.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater

runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management:

Due to the nature of activities inherent to the requested land use, the applicant will be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with this land use, including but not limited to, the following:

1. All waste generating activities (i.e. all mechanical repairs/maintenance and dismantling) must be conducted on an impervious area (i.e. concrete pad). The work area must be provided with low berms/speed bumps or similar structure all around as to prevent any liquids to flow outside of the work area.
2. The work areas must be protected from rainwater intrusion with a roof extending a minimum of two feet beyond the retaining berms or speed bumps mentioned above.
3. All hazardous materials and hazardous waste must be provided with secondary containment capable of holding 110% of the largest containment and protected from rainwater intrusion.
4. All oily parts and parts containing or impregnated with hazardous materials must be stored on an impervious area protected from rainwater intrusion.
5. All parts stored outdoors must be stored on concrete or asphalt areas provided with an approved stormwater management plan.

The Industrial Facilities Section of DERM should be contacted for further information on required management practices for the requested land use and certain land uses permitted under the existing zoning classification.

Air Pollution:

Due to the nature of activities associated to the proposed land use (i.e. removal of A/C units), DERM review, approval and permits will be required for activities that could be a source of air pollution. The DERM Air Quality Management Division should be contacted for further information in this regard. The facility will require an Air Permit from this Department for any proposed automobile paint spray booth and any other possible sources of air pollution such as

degreasers, dust collectors, and so on. The applicant should contact the Air Division of DERM for the necessary application forms to construct and operate an air pollution source. Additionally, the removal or repair of automotive air condition units will also require permits from DERM.

Car Wash Wastewater Management and Disposal:

Chapter 24 of the Code regulates any management and disposal of wastewater. Car wash operations have been characterized as generators of wastewater that cannot be discharged into any stormwater runoff disposal system. Therefore, DERM will require that any car wash proposed or future operation complies with the following conditions:

1. All the wastewater from the car wash operation shall be directed into the sanitary sewer system or into a wastewater recycling system.
2. No wastewater from car wash operations shall be allowed to discharge into the stormwater disposal system or into the ground.
3. No car wash operations shall be permitted outdoors.

The applicant is advised that DERM approval of subsequent development orders or permits for this site will be contingent upon compliance with the above noted requirements.

Hazardous Materials Management:

Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the DERM Industrial Facilities Section concerning required management practices.

Operating Permits:

Section 24-35.1 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM might be required. It is therefore suggested that the applicant contact DERM concerning operating requirements.

Fuel Storage Facilities:

Section 24-12.2 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The Storage Tank Section of DERM should be contacted for permitting requirements in this regard, if any fuel storage facility is requested.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ANTONIO SANCHEZ

This Department has no objections to this application.

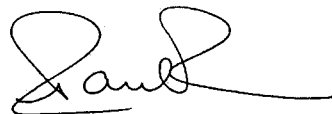
The applicant must dedicate the 25 foot radius corners at the intersection of NW 27 Ave. and NW 66 St. and the intersection of NW 27 Ave. and NW 65 St.

Gates are to remain open during hours of operation.

Landscaping and fences must comply with safe site distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Since this development abuts a State maintained road (NW 27 Ave.), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

28-JUL-04

Memorandum



Date: 14-JUL-05

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue

Subject: Z2004000113

Fire Prevention Unit:

No objection to this Application.

Service Impact/Demand:

Development for the above Z2004000113
located at LYING ON THE EAST SIDE OF NW 27 AVENUE & SOUTH OF NW 66 STREET.
in Police Grid 0862 is proposed as the following:

<u>single</u>	dwelling units	<u>industrial</u>	square feet
<u>multifamily</u>	dwelling units	<u>institutional</u>	square feet
<u>2169 Sq. Ft. commercial</u>	square feet	<u>nursing home</u>	square feet

Based on this development information, estimated service impact is: 0.51 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 2 6460 NW 27th Ave.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments:

No objection.

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY JB AMOUNT OF FEE \$923.40

RECEIPT # 1200411818

DATE HEARD: 11/16/04

BY CZAB # 82504

RECEIVED

DEC 06 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

DATE RECEIVED/STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-11-C28-1 (04-113)

Filed in the name of (Applicant) ANTONIO Sanchez

Name of Appellant, if other than applicant Antonio Sanchez

Address/Location of APPELLANT'S property: 6601 N.W. 27 Ave.
MIAMI, FL 33147

Application, or part of Application being Appealed (Explanation):

Appellant (name): ANTONIO Luis Sanchez
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

As it was explained in our zoning hearing on November 16, 2004. Staff not only approved the application verbally but also did not mention or have any knowledge of any pending ordinance. we paid our fees with the understanding that plan would be approved.

APPELLANT MUST SIGN THIS PAGE

Date: 10 day of December, year: 2004

Signed

Antonio L. Sanchez

Print Name

4926 NW 18th St, OpaLocka, FL

Mailing Address

33055

305-812-1400

Phone

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

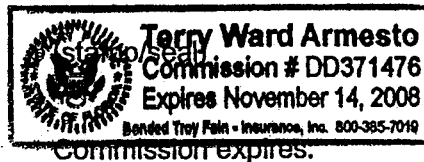
Zip

Telephone Number

Subscribed and Sworn to before me on the 6 day of December, year 2004

Terry Ward Armesto

Notary Public



APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI Dade

Before me the undersigned authority, personally appeared Antonio L. Sanchez
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☐ 1. Participation at the hearing
☒ 2. Original Applicant.
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Jessica Melo
Signature

Jessica Melo
Print Name

[Signature]
Signature

Forrest Sigman
Print Name

Antonio L. Sanchez
Appellant's signature

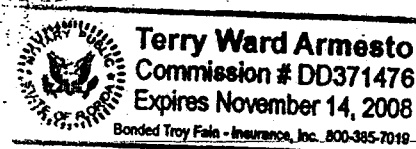
Antonio L. Sanchez
Print Name

Sworn to and subscribed before me on the 6th day of DECEMBER, year 2008

Appellant is personally know to me or has produced DRIVERS LICENSE # 5522-612-50-211-0
as identification.

[Signature]
Notary
(Stamp/Seal)

Commission Expires:



RESOLUTION NO. CZAB8-25-04

WHEREAS, ANTONIO SANCHEZ applied for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BU-3 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5" (Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to deny Items #1-8 without prejudice was offered by Billy Hester, seconded by Bertha M. Carswell, and upon a poll of the members present the vote was as follows:

Bertha M. Carswell	aye	Billy Hester	aye
Anthony Dawkins	aye	Arthemion Johnson	aye
David Daniel Gongora	absent		
		Fredricke Alan Morley	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to BU-3 be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5"

(Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of November 2004.

Hearing No. 04-11-CZ8-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

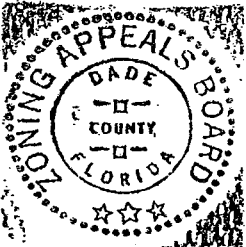
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-25-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of November, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 30th day of November, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MEMORANDUM

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

Legal Counsel's Office

Amended
Agenda Item No. 6(C)

TO: Hon. Chairperson and Members
Board of County Commissioners


(Second Reading 11-4-03)
DATE: September 9, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

O#03-238

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle.


Robert A. Ginsburg
County Attorney

RAG/jls



TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: November 4, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

The proposed ordinance modifying requirements for new and/or used auto and truck sales, repairs, services and facilities in the BU-3 business district will have no fiscal impact on Miami-Dade County.



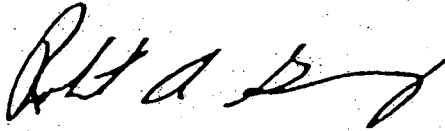
MEMORANDUM

(Revised)

03 238

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: November 4, 2003

FROM: 
Robert A. Ginsburg
County Attorney

Amended
SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Amended

Agenda Item No. 6 (C)

11-4-03

ORDINANCE NO. 03-238

ORDINANCE PERTAINING TO ZONING; MODIFYING REQUIREMENTS FOR ANY NEW AND/OR USED AUTO AND TRUCK SALES, REPAIRS, SERVICES AND FACILITIES IN BU-3 LIBERAL BUSINESS DISTRICT; AMENDING SECTION 33-255 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-255 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows¹:

Sec. 33-255. Uses permitted.

No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:

*

*

*

(3) Automobile and truck services and facilities including:

(a) Open lot car >>and truck<< sales, >>new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:

(1) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Directors of the Planning and Zoning and Public Works Departments for ingress and egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

- (2) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.
 - (3) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
 - (4) That such uses be conducted on sites consisting of at least one (1) net acre.
 - (5) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.
 - (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
 - (7) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
 - (8) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
 - (9) All outdoor paging or speaker systems are expressly prohibited. This provision (9) shall also apply to all establishments in existence as of September 10, 1996.<<
- (b) Open lot car rental.
 - (c) Automobile parts, secondhand from store building only.
 - (d) Automobile body and top work and painting.

*

*

*

- (14) Garage or mechanical service,* >> including automobile repairs, body and top work and painting.<< All outdoor paging or speaker systems are expressly prohibited. This provision shall also apply to all establishments in existence as of ~~[[the effective date of this ordinance]]~~ >> September 10, 1996.<<

* * *

*NOTE: Provided no such establishment is located within five hundred (500) feet of any RU or EU District except after approval after public hearing. Provided, that, this spacing limitation shall be two hundred fifty (250) feet if the use is confined within a building and an exterior wall or walls of the building located on the establishment is not penetrated with any openings directly facing the RU or EU District. It is further provided that, except for exterior uses, such distances shall be measured from the closest point of the subject use in the building to the RU or EU District. In connection with exterior uses, the distance of five hundred (500) feet shall be measured from the closest point of the IU District to the RU or EU District. For purposes of establishing such distances, the applicant for such use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: NOV 04 2003

Approved by County Attorney as
to form and legal sufficiency:

Max

Prepared by:

CH

Craig H. Collier

Sponsored by Commissioner Dorrin D. Rolle

TEAM METRO

ENFORCEMENT HISTORY

ANTONIO SANCHEZ

LYING ON THE EAST SIDE OF NW
27 AVENUE & SOUTH OF NW 66
STREET.

APPLICANT

ADDRESS

Z2004000113

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CMS case# 200404002871 Folio#3031150430231
6/10/04 Found in violation; citation #937055 issued for Unauthorized Use
8/18/04 Property owner found guilty at Special Master Hearing
8/31/04 Violation corrected and citation paid in full. Case closed.

Antonio Sanchez
4926 NW 186 st
Opa Locka Fl. 33055

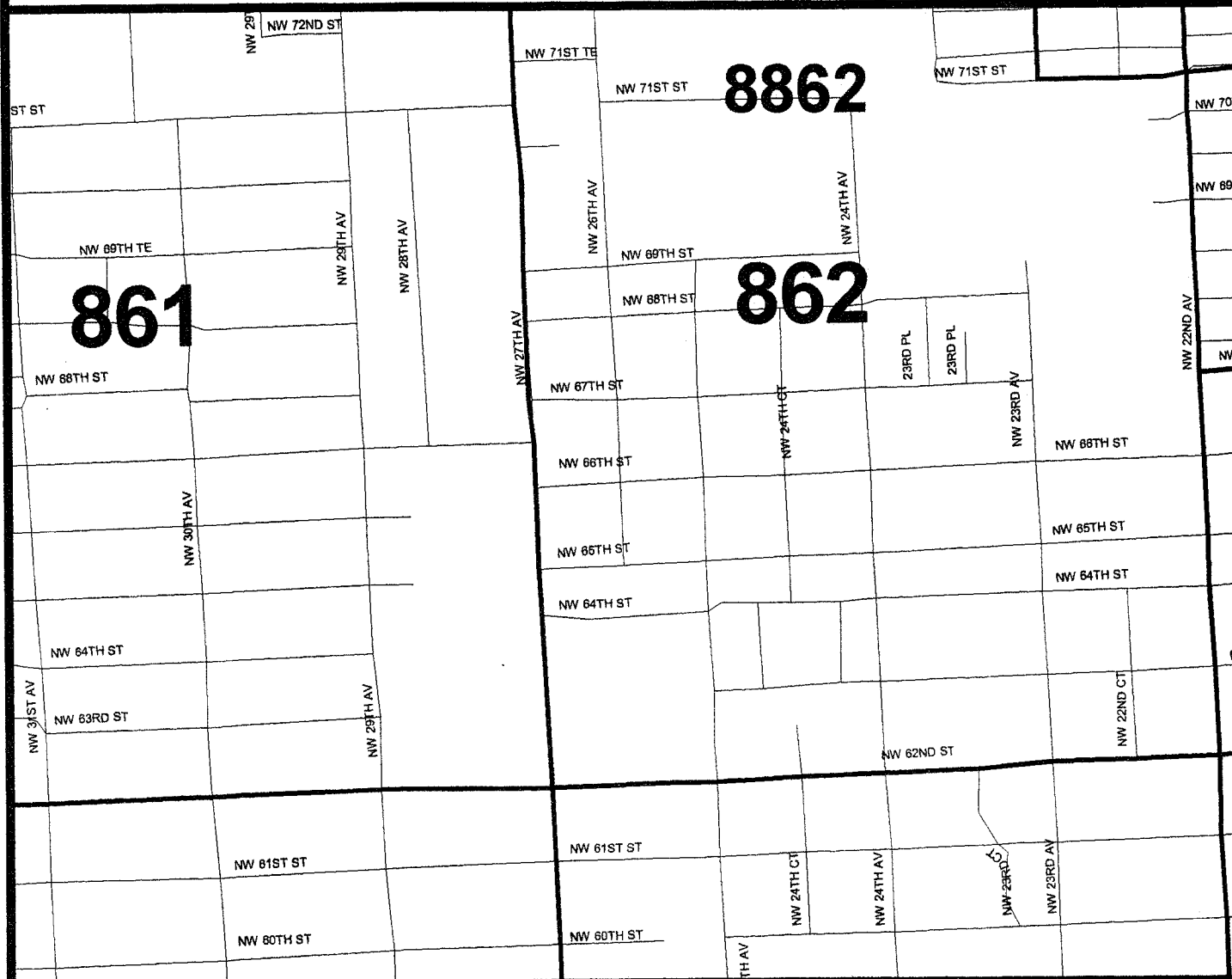
Beverly Washington



Miami-Dade Police Department
Target Area - Police Grid(s): 0862
Antonio Sanchez; Hearing #04-113



33



Police Grids Boundaries
 Boundary

MDPD Crime Analysis System
July 8, 2005
Data in this document represents
successfully geocoded attributes.

0 0.06 0.12 Miles





Miami-Dade Police Department

Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0862", "2259")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

2003 2004

Grid	Signal Code	Signal Description		
0862	13	SPECIAL INFORMATION/ASSIGNMENT	308	227
	14	CONDUCT INVESTIGATION	457	419
	15	MEET AN OFFICER	938	958
	16	D.U.I.	2	1
	17	TRAFFIC ACCIDENT	63	47
	18	HIT AND RUN	10	21
	19	TRAFFIC STOP	181	221
	20	TRAFFIC DETAIL	8	7
	21	LOST OR STOLEN TAG	15	24
	22	AUTO THEFT	65	64
	25	BURGLAR ALARM RINGING	51	73
	26	BURGLARY	84	83
	27	LARCENY	52	45
	28	VANDALISM	26	31
	29	ROBBERY	42	25
	30	SHOOTING	2	4
	32	ASSAULT	226	226
	33	SEX OFFENSE	9	9
	34	DISTURBANCE	372	436
	35	INTOXICATED PERSON - MYERS ACT	0	1
	36	MISSING PERSON	41	54
	37	SUSPICIOUS VEHICLE	9	15
	38	SUSPICIOUS PERSON	10	8
	39	PRISONER	143	109
	41	SICK OR INJURED PERSON	58	78
	43	BAKER ACT	6	8

34



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0862", "2259")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

2003 2004

Grid	Signal Code	Signal Description		
0862	44	ATTEMPTED SUICIDE	3	4
	45	DEAD ON ARRIVAL	2	3
	47	BOMB OR EXPLOSIVE ALERT	0	3
	49	FIRE	15	12
	52	NARCOTICS INVESTIGATION	78	134
	53	ABDUCTION	1	1
	54	FRAUD	14	11
	55	WEAPONS VIOLATION	7	5
Total Signals for Grid 0862 :			3,298	3,367



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From 2003-05-30 Thru 2004-05-31

YEAR: 2003

Crime Information Warehouse

Grid(s): 0862, 2259

Part I Crimes	Total Crimes
Grid 0862	
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	4
110C - FONDLING	1
1200 - ROBBERY	30
130A - AGGRAVATED ASSAULT	47
2200 - BURGLARY	40
230C - SHOPLIFTING	2
230F - SHOPLIFTING FROM A MOTOR VEHICLE	31
230G - SHOPLIFTING ALL OTHERS	59
2400 - MOTOR VEHICLE THEFT	19
Grid 0862 TOTAL	234



Miami-Dade Police Department

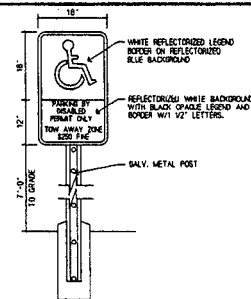
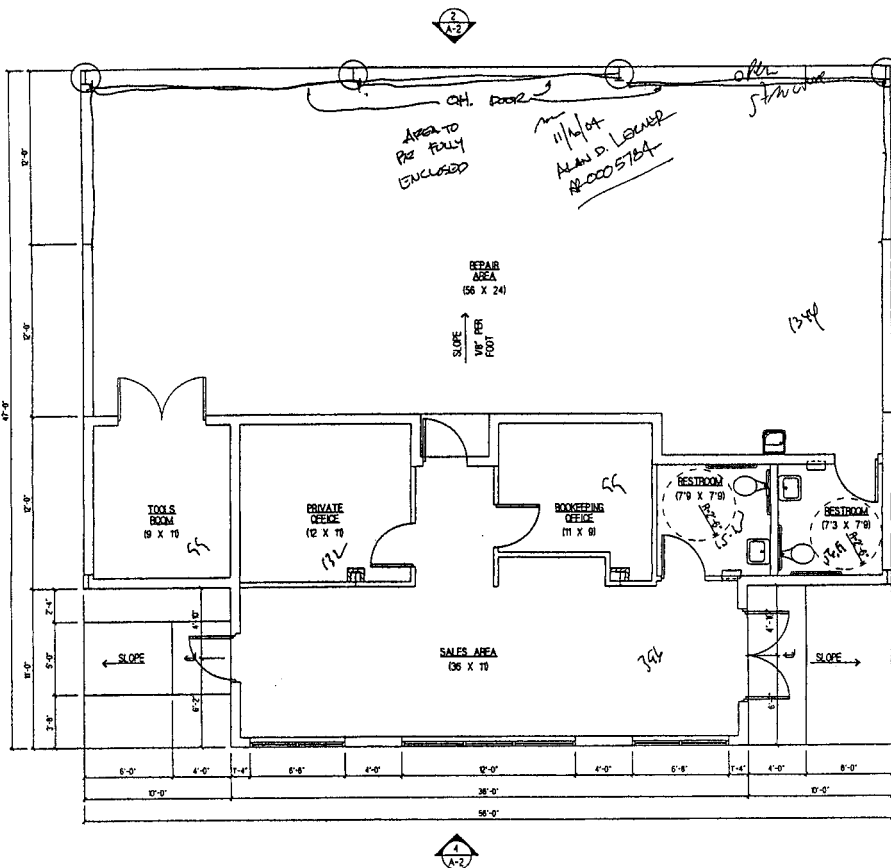
MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From 2003-05-30 Thru 2004-05-31

YEAR: 2003

Crime Information Warehouse

Grid(s): 0862, 2259

PART II Crimes	Total Crimes
Grid 0862	
1000 - KIDNAPPING - ABDUCTION	2
2000 - ARSON	4
130B - SIMPLE ASSAULT	62
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	82
350B - ILLEGAL DRUG EQUIPMENT	12
260A - FRAUD CON/SWINDLE/FALSE PRET.	5
260B - FRAUD CREDIT CARD/ATM	2
260D - IMPERSONATION	1
Grid 0862 TOTAL	170

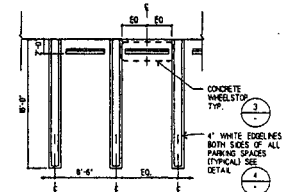


NOTES:
1. H.C. SIGN PER MUNICIPAL ORDINANCE COMPLIANCE
2. SHALL COMPLY WITH FL. ACCESSIBILITY CODE REQUIREMENTS

HANDICAPPED SIGN ELEVATION

SCALE: 3/4" = 1'-0"

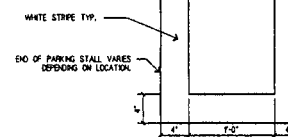
2



TYPICAL PARKING DETAIL

SCALE: 1/8" = 1'-0"

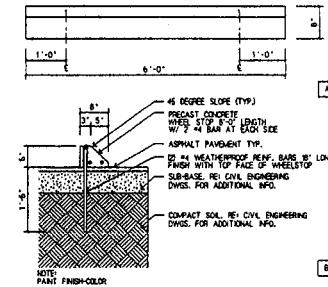
1



ELASTOMETRIC STRIPING DETAIL

SCALE: 1 1/2" = 1'-0"

4



WHEEL STOP DETAIL

SCALE: 3/4" = 1'-0"

3

FLOOR PLAN

SCALE: 1/4" = 1'-0"

7

NOT USED

N.T.S.

6

TYP. HANDICAPPED PARKING DETL

SCALE: 1/8" = 1'-0"

5

TRUCK SALES
OF MIAMI

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Architects & Planners
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REV PLAN

ARCHIT

Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

PROJECT TITLE

TRUCK SALES OF MIAMI

13831 SW 59 ST SUITE 200,
MIAMI, FL 33183
305-385-1700
AA#0003139

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

NO. DATE DESCRIPTION

DATE

DRAWN BY

CHECKED BY

APPROVED BY

02/24/04
CADD
AIA
AIA

NOT FOR CONSTRUCTION
RELEASED FOR CONSTRUCTION
RECORD DRAWING
AS-BUILT DRAWING

APPROVED

REAL

APPROVED

APPROVED

APPROVED

APPROVED

APPROVED

DRAWING TITLE

MISC. DETAILS

ARCHITECT'S PULL NO.

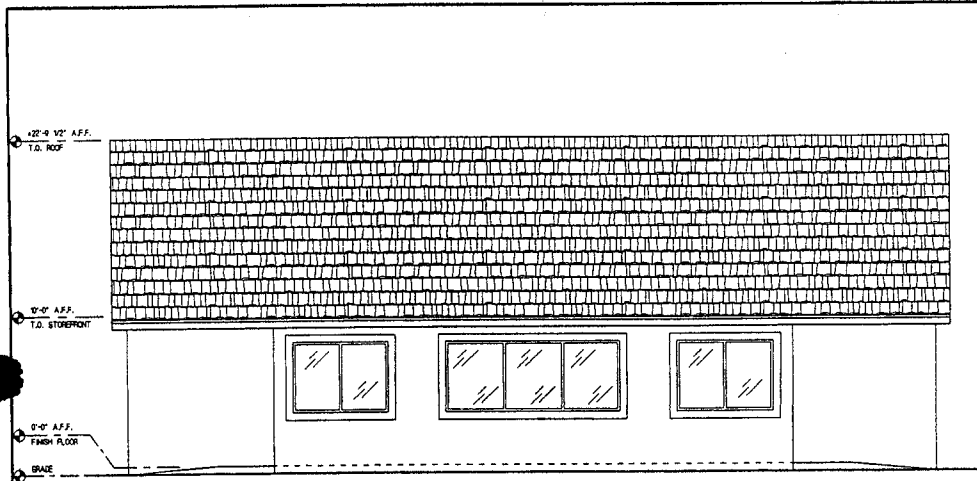
04-005

04-005

DRAWING NO.

A-1

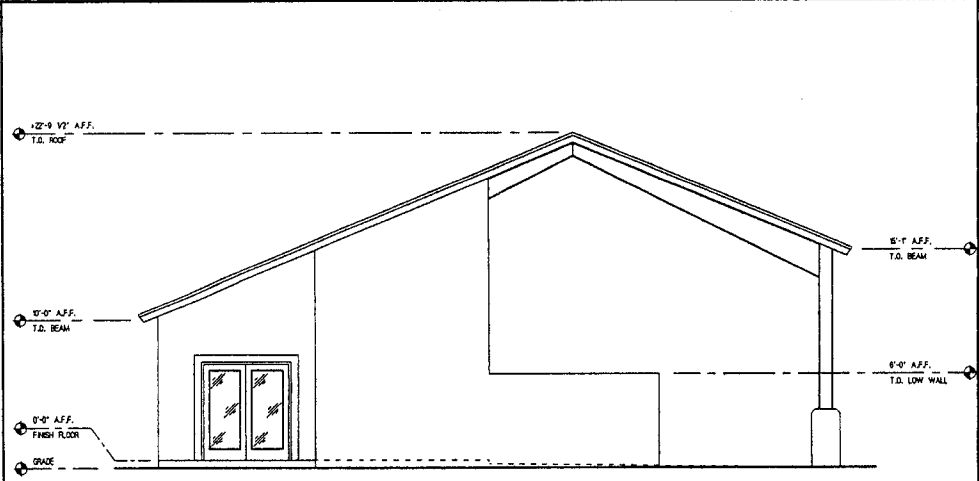
SHEET - OF -



EAST ELEVATION

SCALE: 1/4"=1'-0"

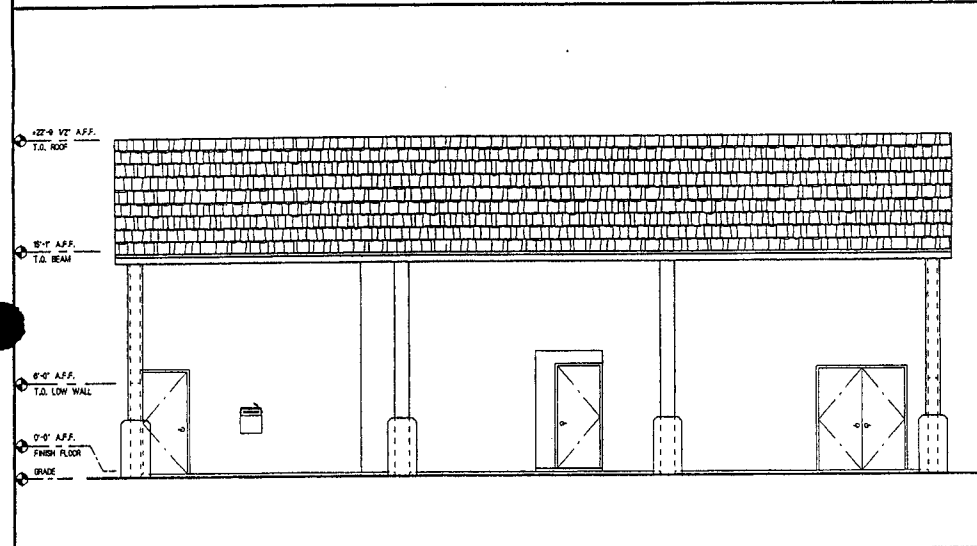
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NORTH ELEVATION

SCALE: 1/4"=1'-0"

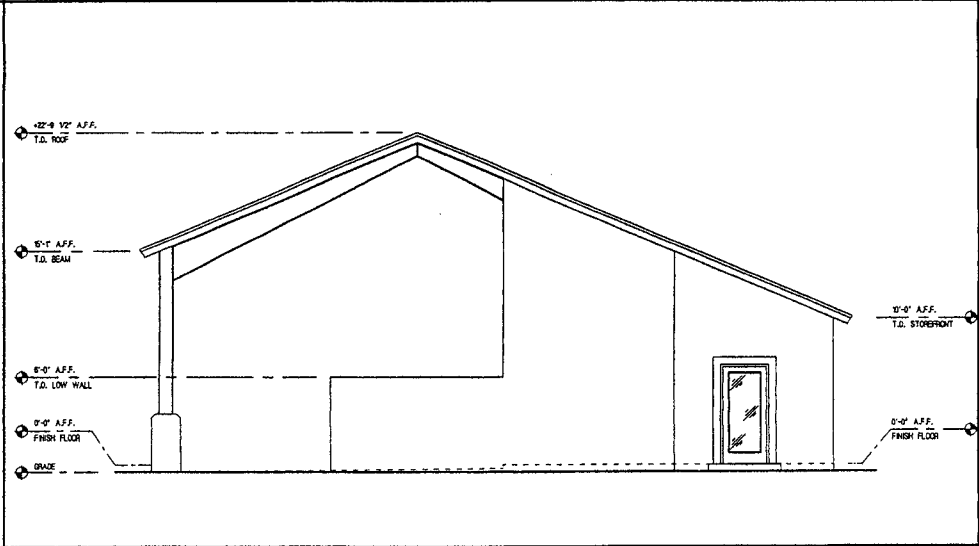
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WEST ELEVATION

SCALE: 1/4"=1'-0"

4



SOUTH ELEVATION

SCALE: 1/4"=1'-0"

3

TRUCK SALES
OF MIAMI

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Architects & Planners
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KEY PLAN

ARCHITECT

Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

PROJECT TITLE

TRUCK SALES OF MIAMI

13831 SW 59 ST SUITE 200,
MIAMI, FL 33183
305-385-1700
AA#0003139

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

NO. DATE DESCRIPTION APPROV. SEAL

DATE
DRAWN BY
CHECKED BY
APPROVED BY

02/24/04
CAD
ADL

NOT FOR CONSTRUCTION
RELEASED FOR CONSTRUCTION
RECORD DRAWING
AS-BUILT DRAWING

ADL
ADL
ADL

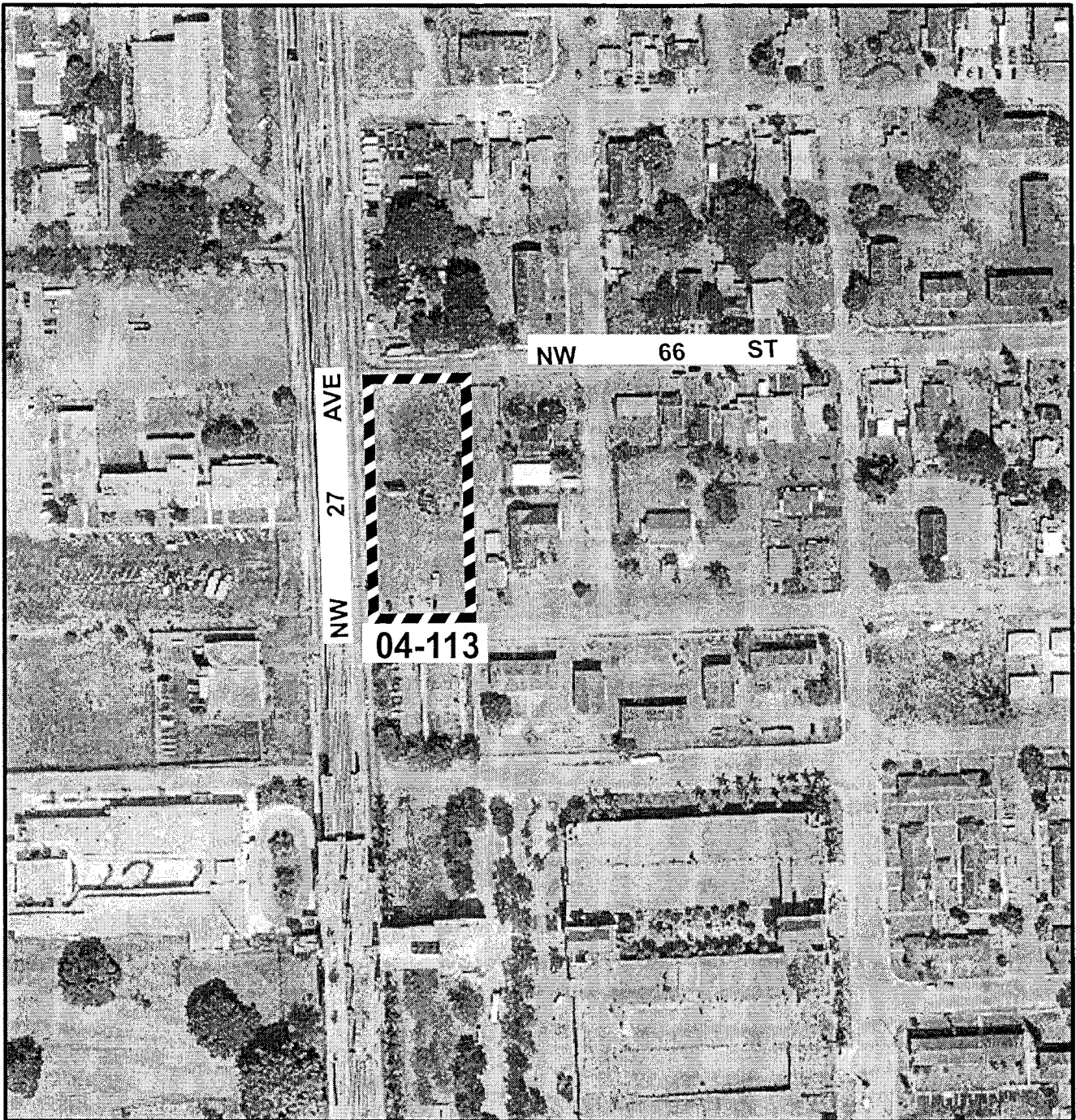
Alp
MAR 2 4 2004
ALAN D. LERNER
ARCH0003704

DRAWING TITLE

BUILDING ELEVATIONS

ARCHITECT'S FILE NO.
04-005

DRAWING NO.
A-2
SHEET - OF -



MIAMI-DADE COUNTY

AERIAL

Section: 15 Township: 53 Range: 41

Process Number: 04-113

Applicant: ANTONIO SANCHEZ

District Number: 02

Zoning Board: C08

Drafter ID: CIRO

Scale: NTS

S C A L E
0 NTS N



SUBJECT PROPERTY



A. ANTONIO SANCHEZ
(Applicant)

04-11-CZ8-1 (04-113)
BCC/District 2
Hearing Date: 8/25/05

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ / lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1957	Susan F. Nelson	Zone changes from RU-3B to BU-2.	CC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decision

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com

DATE: March 17, 2005 #Z-

APPLICANT: B. ANTONIO SANCHEZ (04-11-CZ8-1)

MOTION: Deferral of the application to date uncertain with leave to amend.

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Carey-Shuler		X		
Diaz				X
Gimenez		X		
Heyman		X		
Jordan				X
Rolle	M	X		
Seijas				X
Sorenson		X		
Sosa	S	X		
Souto		X		
Vice Chairman Moss		X		
Chairman Martinez		X		
TOTAL		9	0	4

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Antonio Sanchez

PH: Z04-113 (04-8-CZ8-1)

SECTION: 15-53-41

DATE: August 25, 2005

COMMISSION DISTRICT: 2

ITEM NO.: A

A. INTRODUCTION

o REQUESTS:

The applicant is appealing the decision of CZAB - 8, which denied the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

o SUMMARY OF REQUESTS:

The requests will allow the applicant to change the zoning on the property from BU-2, Special Business District, to BU-3, Liberal Business District; will allow a used auto/truck sales business on a lot with less lot area than required; ancillary auto/truck repairs with a greater percentage of the gross building area than permitted; a narrower landscape greenbelt than required; will waive the required 5' high decorative masonry

wall where a business lot abuts a residential district along the east property line; will allow 0 shrubs along the right-of-way; less landscape open space than required; and will allow the facility to be located closer than permitted from a residential district.

o **LOCATION:**

Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida.

o **SIZE:** 0.77 Acre.

o **IMPACT:**

The approval of the rezoning to BU-3 will allow more intensive business uses on the property than are currently permitted. In particular, the requests made by this application will be intrusive to the surrounding area.

B. ZONING HEARINGS HISTORY:

In 1957, pursuant to Resolution SP665, the subject property was rezoned to BU-2, Special Business District.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **business and office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, hi-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on local factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise and traffic, and in most wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; billboard

Business and Office

Surrounding Properties:

NORTH: BU-3; vacant parcel	Business and Office
SOUTH: BU-2; small retail center	Business and Office
EAST: RU-3M; church	Residential, 5 to 13 dua
WEST: BU-2; BAC Corporation	Business and Office

The subject property is located between NW 66 Street and NW 65 Street. The neighborhood where the subject property lies is characterized by retail centers and small commercial buildings on both sides of the NW 27 Avenue corridor. There are apartments and duplexes to the east of NW 27 Avenue and single-family residences to the west. Staff notes that the property was recently cleared and cleaned so that it is not unsightly.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	Unacceptable
Location of Buildings:	Unacceptable
Compatibility:	Unacceptable
Landscape Treatment:	Unacceptable
Open Space:	Unacceptable
Buffering:	Unacceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Unacceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F): In evaluating an application for a **district boundary change** the Board shall take into consideration, among other factors the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and

whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;

- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

Section 33-311 (A)(4)(b). Non-Use Variances From Other Than Airport Regulations:

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c). Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

Section 33-255(3). BU-3 Liberal Business District. Uses permitted. Automobile and truck services and facilities including:

- (a) Open lot car and truck sales new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:
 - (1) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Directors of Planning and Zoning and Public Works Departments for ingress and egress to the property,

shall be provided along all property lines abutting all public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum of spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

- (2) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.
- (3) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
- (4) That such uses be conducted on sites consisting of at least one (1) net acre.
- (5) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.
- (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
- (7) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
- (8) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
- (9) All outdoor paging or speaker systems are expressly prohibited. This provision (9) shall also apply to all establishments in existence as of September 10, 1996.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comments

* subject to conditions stated in their memoranda

H. ANALYSIS:

This application was deferred from the March 17, 2005 Board of County Commissioners meeting at the applicant's request with leave to amend. At the time of this writing, the applicant had not submitted any changes to staff.

The applicant is appealing the decision of the Community Zoning Appeals Board-8 which denied this application without prejudice by a vote of 4 – 0 pursuant to Resolution CZAB8-25-04. The CDMP states that all existing uses and zoning are consistent with the Land Use Plan (LUP) map. As such, the Community Zoning Appeals Board-8's decision to retain the existing BU-2 zoning is consistent with the CDMP. The applicant states in the appeal form that staff not only approved the application verbally but also did not mention or have any knowledge of any pending ordinance. The applicant further states that they paid their fees with the understanding that their plan would be approved.

Staff notes that the applicant has not produced any written documentation from the Department to substantiate the aforementioned claim. The Department's official recommendation submitted to the Community Zoning Appeals Board – 8 and to the applicant was and is for denial without prejudice of this application. In addition, staff has always made it clear to all applicants that the ultimate decision for approval or denial of their application rests upon the Boards. The Department does note that in the past there have been approvals of similar applications for used auto / truck sales along the NW 27th Avenue corridor.

The subject property is located on the east side of NW 27 Avenue and south of NW 66 Street. The applicant is seeking a district boundary change from BU-2, Special Business District, to BU-3, Liberal Business District, and intends to develop the site with a used auto/truck sales business with ancillary auto/truck repairs. The applicant is also requesting to permit the aforementioned used auto/truck sales with less lot area than required, the ancillary auto/truck repair to occupy a greater percentage of the gross building area than permitted, a narrower landscape greenbelt than required, waive the required 5' high decorative wall where a business lot abuts a residential district along the east property line, 0 shrubs along the right-of-way, less landscape open space than required, and to permit the proposed facility to be closer than permitted to a residential district. The plans submitted by the applicant depict the proposed used auto/truck sales facility with ancillary auto/truck repairs. The proposed building will be located on the southern portion of the site and the parking area will be located on the northern portion of the site. The proposed building will accommodate a showroom area, offices, and a repair area. An outdoor auto display area is provided along the north, south, and west sides of the property which will be separated from the rights-of-way by a 7' wide landscape greenbelt that will run along said property lines, except for ingress and egress. A 5' wide landscape greenbelt and a 5' high chain link fence are provided along the east property line. Gates are provided for the ingress and egress to the property which are from NW 65 Street and NW 66 Street. No ingress or egress is provided from NW 27 Avenue.

The Department of Environmental Resources Management (**DERM**) has **no objection** to this application. However, the applicant would have to comply with all of the conditions of DERM as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objection** to this application. Said Department will require, among other things, that the applicant dedicate the 25' radius corners at the intersection of NW 27 Avenue and NW 65 Street and the intersection of NW 27 Avenue and NW 66 Street. This property lies within the urban infill area where traffic concurrency does not apply.

The proposed BU-3 zoning will allow the applicant to provide more liberal commercial services to the community. The site plan submitted will allow the applicant to provide used auto/truck sales with ancillary auto/truck repairs to the community, a use currently not permitted as a matter of right on this BU-2 zoned property. Notwithstanding the highly commercial character of NW 27 Avenue, the east and west sides of NW 27 Avenue in this area are primarily zoned BU-2, which permits less intensive uses than the proposed BU-3 zoning district. With the exceptions of a used car lot which was approved via a use variance in 1993, pursuant to Resolution Z-106-93, for the block face located on the east side of NW 27 Avenue between NW 68 Street and NW 69 Street, and a rezoning to BU-3 on the block face directly to the north of the subject property with a covenant limiting the uses on the site to BU-2 uses and automobile, truck sales, rentals, and ancillary repairs, no other BU-3 uses or zoning have been granted in the immediate area. Staff notes that there have been few approvals for this type of use by the CZAB-8 since the enactment of Ordinance # 03-238 imposing certain landscaping, greenbelt, and lot area requirements and restrictions on open lot sales of new and used cars and trucks. On May 25, 2004 the Community Zoning Appeals Board-8 approved a zone change from BU-1 and RU-1 to BU-3 zoning and a used auto and truck business on a site located at 9704 NW 27th Avenue. Said use was approved pursuant to Resolution CZAB8-13-04 subject to the Board's acceptance of a covenant limiting the uses on the site. Further, on May 10, 2005, a zone change from BU-2 to BU-3 and accompanying requests for a lot area of 0.46 acres (1 acre required) and a landscape buffer with less width than required were approved on a site located on the southeast corner of NW 115 Street and NW 27 Avenue pursuant to Resolution CZAB8-10-05. The proposed open lot used car and auto sales was approved subject to the Board's acceptance of a covenant, which restricted the use of the land to the submitted plans; limited the hours of operation; prohibited the use of outdoor speakers, stringer lights, pennants and neon signs; prohibited the display of signs on the windshields; restricted the BU-3 use to a used car dealership; agreed to paint the facility no less than once every 5 years; agreed to install and maintain an irrigation system; provides for the proper maintenance of the landscaping to prevent deterioration; and agreed to post all of the aforementioned conditions in a place visible to all customers and residents. Although the proposed zone change to BU-3 on the subject property would be **consistent** with the Land Use Plan (LUP) map's designation of this site for Business and Office use, said zoning would be **incompatible** with the predominately zoned BU-2 surrounding area since it would permit more intensive commercial uses including the proposed used auto/truck business. Additionally, the site plan as submitted for the proposed used auto/truck sales with ancillary auto/truck repairs facility is unacceptable to staff, as it would be intrusive to the surrounding area.

When considered under Section 33-311(A)(4)(b) (NUV), requests #2 through 8 do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that Ordinance No. 03-238, which became effective on November 14, 2003, requires that the new or used open lot car and truck sales, in the BU-3 district be conducted on sites consisting of at least one (1) net acre, that a minimum of 20% of the net lot area of the site be developed as landscaped open space, and that a continuous, densely planted greenbelt of not less than 15' in width, except for ingress and egress, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Other requirements pertaining to their location in relation to types of roadways, the use of attention attracting devices, outdoor lighting, test driving, and outdoor paging and speaker systems were also included in the aforementioned ordinance. Said Ordinance was codified in Section 33-255 of the zoning code.

The proposed facility with a lot area of 0.77 acre (1 acre required) would be overly intensive for this site as evidenced by the accompanying requests. A landscape greenbelt varying from 5' wide along the east property line to 7'5" along the north, south, and west property lines will not adequately buffer the surrounding area from the proposed use. Although the residentially zoned property to the east is developed with a church, the neighborhood to the east is residential in character. Allowing a used auto/truck sales with ancillary auto/truck repairs facility located 29' (500' required) from a residential district would be overly intensive to same and the narrower than required landscape greenbelt would cause the short distance of the proposed use from the residential district to be even more intrusive to same. Additionally, waiving the required 5' high wall where a business lot abuts a residential district along the east property line would also add to the intrusiveness of the proposed use from said residential district. The applicant is providing less landscape open space than required and the ancillary auto/truck repairs would occupy 60% (15% permitted) of the gross building area which will add to the over intensity of the proposed use on this site. Further, allowing 0 shrubs along the right-of-way would not adequately buffer the proposed use from the surrounding area. The aforementioned requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. As such, Requests #2 through 8 do not meet the standard under Section 33-311(A)(4)(b) (NUV) and cannot be approved under same.

When Requests #2 thru 8 are analyzed under Section 33-311(A)(c) (ANUV), the applicant has not proven that a literal enforcement of the provisions thereof will result in unnecessary hardship since this property can be developed in accordance with BU-2 zoning standards. As such, said requests cannot be approved under said standard.

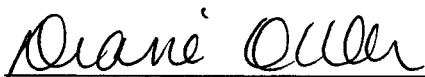
Accordingly, staff recommends denial without prejudice of the appeal and of the zone change to BU-3; and denial without prejudice of Requests #2 through 8 under Sections 33-311(A)(4)(b) (NUV) and (c) (ANUV).

I. RECOMMENDATION:

Denial without prejudice of the appeal and of the application.

J. CONDITIONS: None.

DATE INSPECTED: 09/21/04
DATE TYPED: 09/30/04
DATE REVISED: 10/22/04, 10/26/04, 10/28/04, 11/10/04, 1/28/05, 02/01/05, 08/08/05
DATE FINALIZED: 08/08/05
DO'QW:AJT:MTF:JDR:CSE


Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning



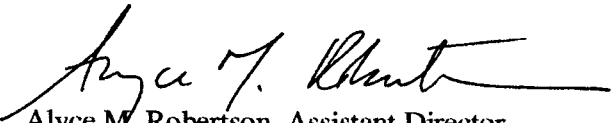
MEMORANDUM



TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: June 14, 2004

SUBJECT: C-08 #Z2004000113
Antonio Sanchez
E/S NW 27th Avenue & S/O NW 66th
Street
DBC from BU-2 to BU-3
(BU-2) (0.77 Ac.)
15-53-41

FROM: 
Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

The property is located within a Brownfield area; therefore, an environmental assessment may be required prior to the approval of any drainage system.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater

runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management:

Due to the nature of activities inherent to the requested land use, the applicant will be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with this land use, including but not limited to, the following:

1. All waste generating activities (i.e. all mechanical repairs/maintenance and dismantling) must be conducted on an impervious area (i.e. concrete pad). The work area must be provided with low berms/speed bumps or similar structure all around as to prevent any liquids to flow outside of the work area.
2. The work areas must be protected from rainwater intrusion with a roof extending a minimum of two feet beyond the retaining berms or speed bumps mentioned above.
3. All hazardous materials and hazardous waste must be provided with secondary containment capable of holding 110% of the largest containment and protected from rainwater intrusion.
4. All oily parts and parts containing or impregnated with hazardous materials must be stored on an impervious area protected from rainwater intrusion.
5. All parts stored outdoors must be stored on concrete or asphalt areas provided with an approved stormwater management plan.

The Industrial Facilities Section of DERM should be contacted for further information on required management practices for the requested land use and certain land uses permitted under the existing zoning classification.

Air Pollution:

Due to the nature of activities associated to the proposed land use (i.e. removal of A/C units), DERM review, approval and permits will be required for activities that could be a source of air pollution. The DERM Air Quality Management Division should be contacted for further information in this regard. The facility will require an Air Permit from this Department for any proposed automobile paint spray booth and any other possible sources of air pollution such as

degreasers, dust collectors, and so on. The applicant should contact the Air Division of DERM for the necessary application forms to construct and operate an air pollution source. Additionally, the removal or repair of automotive air condition units will also require permits from DERM.

Car Wash Wastewater Management and Disposal:

Chapter 24 of the Code regulates any management and disposal of wastewater. Car wash operations have been characterized as generators of wastewater that cannot be discharged into any stormwater runoff disposal system. Therefore, DERM will require that any car wash proposed or future operation complies with the following conditions:

1. All the wastewater from the car wash operation shall be directed into the sanitary sewer system or into a wastewater recycling system.
2. No wastewater from car wash operations shall be allowed to discharge into the stormwater disposal system or into the ground.
3. No car wash operations shall be permitted outdoors.

The applicant is advised that DERM approval of subsequent development orders or permits for this site will be contingent upon compliance with the above noted requirements.

Hazardous Materials Management:

Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the DERM Industrial Facilities Section concerning required management practices.

Operating Permits:

Section 24-35.1 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM might be required. It is therefore suggested that the applicant contact DERM concerning operating requirements.

Fuel Storage Facilities:

Section 24-12.2 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The Storage Tank Section of DERM should be contacted for permitting requirements in this regard, if any fuel storage facility is requested.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ANTONIO SANCHEZ

This Department has no objections to this application.

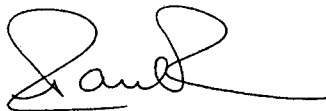
The applicant must dedicate the 25 foot radius corners at the intersection of NW 27 Ave. and NW 66 St. and the intersection of NW 27 Ave. and NW 65 St.

Gates are to remain open during hours of operation.

Landscaping and fences must comply with safe site distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Since this development abuts a State maintained road (NW 27 Ave.), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

28-JUL-04

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY DB AMOUNT OF FEE \$923.40

RECEIPT # 1200411818

DATE HEARD: 11/16/04

BY CZAB # 82504

RECEIVED

DEC 06 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-11-C28-1(04-113)

Filed in the name of (Applicant) ANTONIO Sanchez

Name of Appellant, if other than applicant Antonio Sanchez

Address/Location of APPELLANT'S property: 6601 N.W. 27 Ave.
MIAMI, FL 33147

Application, or part of Application being Appealed (Explanation):

Appellant (name): ANTONIO Luis Sanchez
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

As it was explained in our zoning hearing on November 16, 2004. Staff not only approved the application verbally but also did not mention or have any knowledge of any pending ordinance. we paid our fees with the understanding that plan would be approved.

APPELLANT MUST SIGN THIS PAGE

Date: 16 day of December, year: 2004

Signed ☒

Antonio L Sanchez

Print Name

4926 NW 18th St, Doral, FL

Mailing Address

33055

305-812-1400

Phone

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

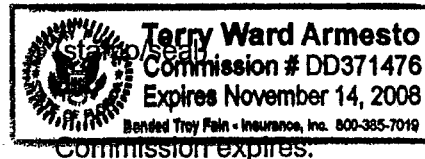
State

Zip

Telephone Number

Subscribed and Sworn to before me on the 6 day of December, year 2004

Terry Ward Armesto
Notary Public



APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI Dade

Before me the undersigned authority, personally appeared Antonio L. Sanchez
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☐ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Jessica Melo
Signature

Jessica Melo
Print Name

[Signature]
Signature

Forrest Sigman
Print Name

Antonio L. Sanchez
Appellant's signature

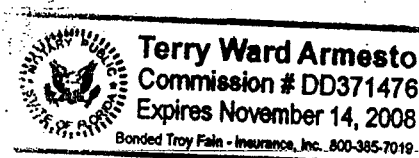
Antonio L. Sanchez
Print Name

Sworn to and subscribed before me on the 6th day of DECEMBER, year 2007

Appellant is personally know to me or has produced DRIVERS LICENSE # 5522-812-50-211-0
identification. as

[Signature]
Notary
(Stamp/Seal)

Commission Expires:



RESOLUTION NO. CZAB8-25-04

WHEREAS, ANTONIO SANCHEZ applied for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BU-3 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5" (Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to deny Items #1-8 without prejudice was offered by Billy Hester, seconded by Bertha M. Carswell, and upon a poll of the members present the vote was as follows:

Bertha M. Carswell	aye	Billy Hester	aye
Anthony Dawkins	aye	Arthemion Johnson	aye
David Daniel Gongora	absent		
Fredricke Alan Morley	absent		

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to BU-3 be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5"

(Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of November 2004.

Hearing No. 04-11-CZ8-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

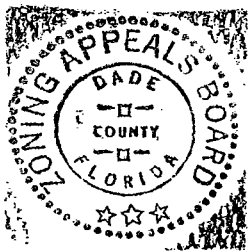
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-25-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of November, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 30th day of November, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MEMORANDUM

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

Legal Counsel's Office

Amended
Agenda Item No. 6(C)

TO: Hon. Chairperson and Members
Board of County Commissioners

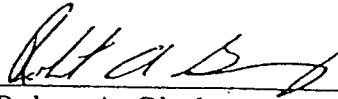
(Second Reading 11-4-03)
DATE: September 9, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

O#03-238

The accompanying ordinance was prepared and placed on the agenda at the request
of Commissioner Dorrin D. Rolle.


Robert A. Ginsburg
County Attorney

RAG/jls



TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: November 4, 2003

FROM: George M. Burges
County Manager

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

The proposed ordinance modifying requirements for new and/or used auto and truck sales, repairs, services and facilities in the BU-3 business district will have no fiscal impact on Miami-Dade County.



03 238

MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: November 4, 2003

FROM: Robert A. Ginsburg
County Attorney

Amended

SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- _____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Bid waiver requiring County Manager's written recommendation
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ Housekeeping item (no policy decision required)
- _____ No committee review

228
Approved _____ Mayor

Veto _____

Override _____

Amended

Agenda Item No. 6 (C)

11-4-03

ORDINANCE NO. 03-238

ORDINANCE PERTAINING TO ZONING; MODIFYING REQUIREMENTS FOR ANY NEW AND/OR USED AUTO AND TRUCK SALES, REPAIRS, SERVICES AND FACILITIES IN BU-3 LIBERAL BUSINESS DISTRICT; AMENDING SECTION 33-255 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-255 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows¹:

Sec. 33-255. Uses permitted.

No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:

*

*

*

(3) Automobile and truck services and facilities including:

(a) Open lot car >>and truck<< sales, >>new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:

(1) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Directors of the Planning and Zoning and Public Works Departments for ingress and egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

- (2) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.
- (3) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
- (4) That such uses be conducted on sites consisting of at least one (1) net acre.
- (5) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.
- (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
- (7) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
- (8) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
- (9) All outdoor paging or speaker systems are expressly prohibited. This provision (9) shall also apply to all establishments in existence as of September 10, 1996.<<

- (b) Open lot car rental.
- (c) Automobile parts, secondhand from store building only.
- (d) Automobile body and top work and painting.

*

*

*

- (14) Garage or mechanical service,* >> including automobile repairs, body and top work and painting.<< All outdoor paging or speaker systems are expressly prohibited. This provision shall also apply to all establishments in existence as of ~~[[the effective date of this ordinance]]~~ >> September 10, 1996.<<

*

*

*

*NOTE: Provided no such establishment is located within five hundred (500) feet of any RU or EU District except after approval after public hearing. Provided, that, this spacing limitation shall be two hundred fifty (250) feet if the use is confined within a building and an exterior wall or walls of the building located on the establishment is not penetrated with any openings directly facing the RU or EU District. It is further provided that, except for exterior uses, such distances shall be measured from the closest point of the subject use in the building to the RU or EU District. In connection with exterior uses, the distance of five hundred (500) feet shall be measured from the closest point of the IU District to the RU or EU District. For purposes of establishing such distances, the applicant for such use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

*

*

*

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: NOV 04 2003

Approved by County Attorney as
to form and legal sufficiency:

MAX

Prepared by:

CH

Craig H. Collier

Sponsored by Commissioner Dorrin D. Rolle



C-08

MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 204-113

Plans: ☐ Yes ☐ No Request: _____

Location: ES of NW 27 Ave + Bet NW 65 + NW 66 St.

Recommendation: ☒ Approved
☐ Approved with conditions
☐ Approved with no change from previous submittal
☐ Denial
☐ Defer to DIC comments

Estimated number of alarms generated annually by application: 8

If there is an impact, below is the service availability:

Station District 2 Grid 0862 DU(SF) 33541 Occupancy Type 3

Impact of additional calls on closest station: ☐ No Impact
☒ Minimal Impact
☐ Moderate Impact
☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed
---------	----------	----------------------

☒ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by:

Kathryn Lyon
Kathryn Lyon

Phone: (786) 331-4546

Date: 4-27-04

Revised 3/9/04 BJM

TEAM METRO

ENFORCEMENT HISTORY

ANTONIO SANCHEZ

LYING ON THE EAST SIDE OF NW
27 AVENUE & SOUTH OF NW 66
STREET.

APPLICANT

ADDRESS

Z2004000113

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

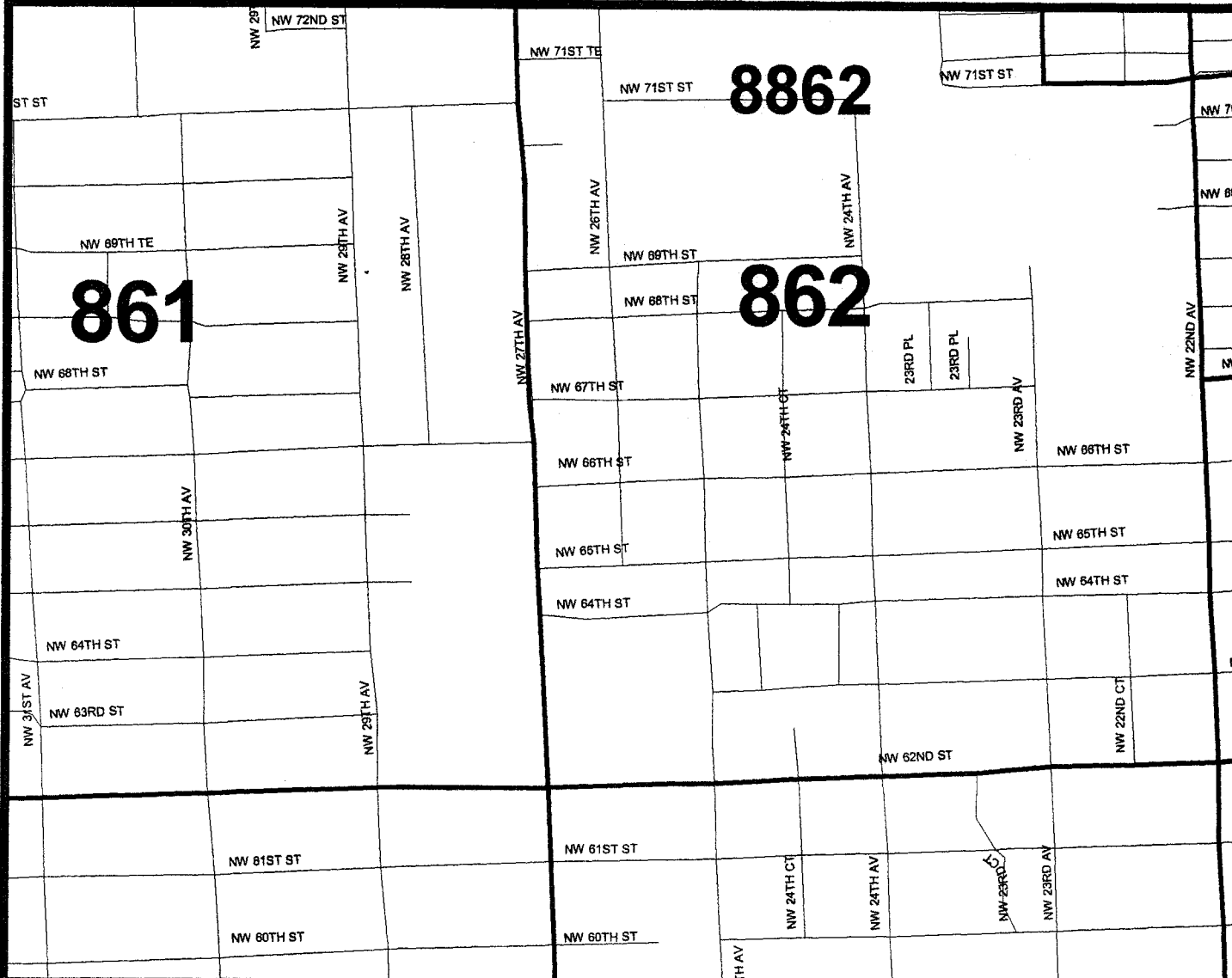
CMS case# 200404002871 Folio#3031150430231
6/10/04 Found in violation; citation #937055 issued for Unauthorized Use
8/18/04 Property owner found guilty at Special Master Hearing
8/31/04 Violation corrected and citation paid in full. Case closed.

Antonio Sanchez
4926 NW 186 st
Opa Locka Fl. 33055

Beverly Washington



Miami-Dade Police Department
Target Area - Police Grid(s): 0862
Antonio Sanchez; Hearing #04-113



Police Grids Boundaries
 Boundary

0 0.06 0.12 Miles



MDPD Crime Analysis System
July 8, 2005
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0862", "2259")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")))) and Common

2003 2004

Grid	Signal Code	Signal Description		
0862	13	SPECIAL INFORMATION/ASSIGNMENT	308	227
	14	CONDUCT INVESTIGATION	457	419
	15	MEET AN OFFICER	938	958
	16	D.U.I.	2	1
	17	TRAFFIC ACCIDENT	63	47
	18	HIT AND RUN	10	21
	19	TRAFFIC STOP	181	221
	20	TRAFFIC DETAIL	8	7
	21	LOST OR STOLEN TAG	15	24
	22	AUTO THEFT	65	64
	25	BURGLAR ALARM RINGING	51	73
	26	BURGLARY	84	83
	27	LARCENY	52	45
	28	VANDALISM	26	31
	29	ROBBERY	42	25
	30	SHOOTING	2	4
	32	ASSAULT	226	226
	33	SEX OFFENSE	9	9
	34	DISTURBANCE	372	436
	35	INTOXICATED PERSON - MYERS ACT	0	1
	36	MISSING PERSON	41	54
	37	SUSPICIOUS VEHICLE	9	15
	38	SUSPICIOUS PERSON	10	8
	39	PRISONER	143	109
	41	SICK OR INJURED PERSON	58	78
	43	BAKER ACT	6	8



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0862", "2259")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2003		2004
Grid	Signal Code	Signal Description		
0862	44	ATTEMPTED SUICIDE		3
	45	DEAD ON ARRIVAL		2
	47	BOMB OR EXPLOSIVE ALERT		0
	49	FIRE		15
	52	NARCOTICS INVESTIGATION		78
	53	ABDUCTION		1
	54	FRAUD		14
	55	WEAPONS VIOLATION		7
Total Signals for Grid 0862 :		3,298		3,367



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From 2003-05-30 Thru 2004-05-31

YEAR: 2003

Crime Information Warehouse

Grid(s): 0862, 2259

Part I Crimes	Total Crimes
Grid 0862	
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	4
110C - FONDLING	1
1200 - ROBBERY	30
130A - AGGRAVATED ASSAULT	47
2200 - BURGLARY	40
230C - SHOPLIFTING	2
230F - SHOPLIFTING FROM A MOTOR VEHICLE	31
230G - SHOPLIFTING ALL OTHERS	59
2400 - MOTOR VEHICLE THEFT	19
Grid 0862 TOTAL	234



Miami-Dade Police Department

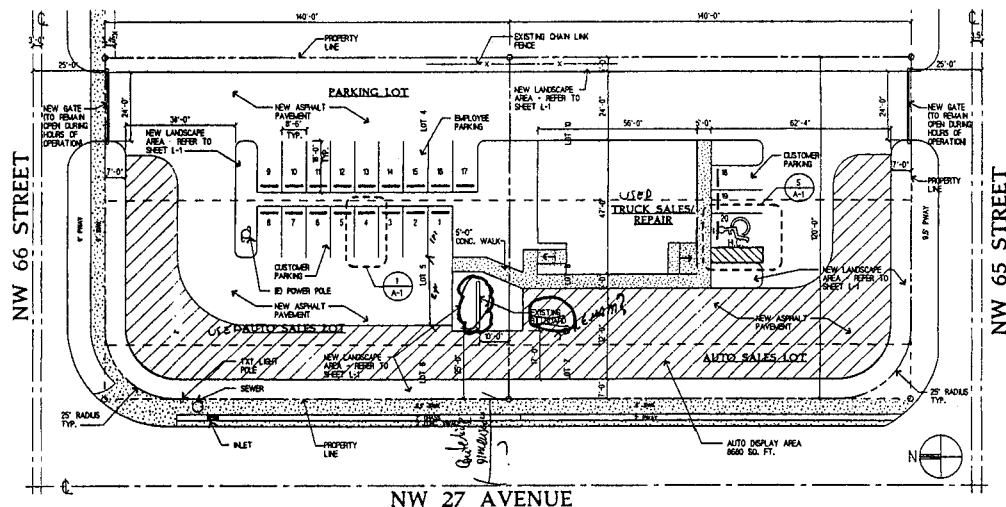
MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
For Specific Grids
From 2003-05-30 Thru 2004-05-31

YEAR: 2003

Crime Information Warehouse

Grid(s): 0862, 2259

PART II Crimes	Total Crimes
Grid 0862	
1000 - KIDNAPPING - ABDUCTION	2
2000 - ARSON	4
130B - SIMPLE ASSAULT	62
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	82
350B - ILLEGAL DRUG EQUIPMENT	12
260A - FRAUD CON/SWINDLE/FALSE PRET.	5
260B - FRAUD CREDIT CARD/ATM	2
260D - IMPERSONATION	1
Grid 0862 TOTAL	170

**SITE LEGEND:**

ZONING DISTRICT: RU-3
NET LOT AREA: 33,301 SQ. FT. = 0.77 ACRES
BUILDING LOT COVERAGE: 40 % OF TOTAL LOT AREA ALLOWED
 2,410 SQ. FT. / 33,301 = 7.24 % PROVIDED
 PER SEC. 33-253.3
FLOOR AREA RATIO: 40 % OF TOTAL LOT AREA ALLOWED
 2,410 SQ. FT. / 33,301 = 7.24 % PROVIDED
 PER SEC. 33-253.3
PARKING: 100 SPACES FOR EACH 5,000 SQ. FT. OF OPEN LOT + 11 SPACES FOR EACH 1,000 SQ. FT. OF BUILDING OFFICE
 100 SPACES FOR EVERY 2,500 SQ. FT. OF REPAIR AREA
 1,000 SQ. FT. / 5,000 = 17.8%
 1,000 SQ. FT. BUILDING OFFICE AREA / 250 = 4
 1,000 SQ. FT. BUILDING REPAIR AREA = 4
 11% REQUIRED
 17.8% PROVIDED
LANDSCAPING ACCESSIBLE PARKING PER F.P.C. 16-1.2(2)(1)
 100 TO 105 SPACES = 101 REQUIRED
 101 PROVIDED

ZONING/SITE INFORMATION

SCALE: N.T.S. 1

LEGAL DESCRIPTION:

LOTS 4, 5, 6, 7, 8 & 9 LESS STREET IN BLOCK 4, OF ELIZABETH PARK AMENDED, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 195 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

LEGAL DESCRIPTIONS

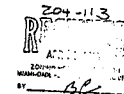
SCALE: N.T.S. 2

SITE DESIGN

S-1 SITE PLAN

LANDSCAPE DESIGN

L-1 LANDSCAPE PLAN

ARCHITECTURALA-1 ARCH. DETAILS / BLDG FLOOR PLAN
A-2 BLDG ELEVATIONS**SITE PLAN**

SCALE: 1" = 20'

PROJECT INDEX

SCALE: N.T.S. 3

**TRUCK SALES
OF MIAMI**

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REV. PLAN

ARCHITECT

Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

13031 SW 58 ST SUITE 200,
MIAMI, FL 33183
305-395-1700
AA#0003139

PROJECT TITLE

TRUCK SALES OF MIAMI

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

NO. DATE DESCRIPTION

APPROV. SEAL

DATE
DRAWN BY
CHECKED BY
APPROVED BY

02/24/04
CAD
AZL
AZL

NOT FOR CONSTRUCTION
RELEASED FOR CONSTRUCTION
RECORD DRAWING
AS-BUILT DRAWING

BY
BY
BY

MAR 2 4 2004
ALAN D. LERNER
ARCHITECT

DRAWING TITLE

SITE PLAN

ARCHITECT'S P.L. NO.
04-005

DRAWING NO.
SP-1
SHEET - OF -

NOTES:

GENERAL PLANTING REQUIREMENTS

ALL SEEDS SHOWN FOR PLANT MATERIALS ON THE PLAN ARE TO BE SUBMITTED IMMEDIATELY TO THE CITY OF MIAMI FOR APPROVAL. THE CITY OF MIAMI RESERVES THE RIGHT TO APPROVE OR DISAPPROVE ANY PLANT MATERIALS AND TO REQUIRE REPLACEMENT OF ANY PLANT MATERIALS THAT DO NOT MEET THE CITY OF MIAMI'S REQUIREMENTS. ALL PLANT MATERIALS MUST BE SUBMITTED TO THE CITY OF MIAMI FOR APPROVAL PRIOR TO CONSTRUCTION.

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LANDSCAPE LEGEND INFORMATION REQUIRED TO BE PERMANENTLY AFFIXED TO PLAN
ZONING DISTRICT: BU-3
NET LOT AREA: 0.77 ACRES, 33,331 S.F.

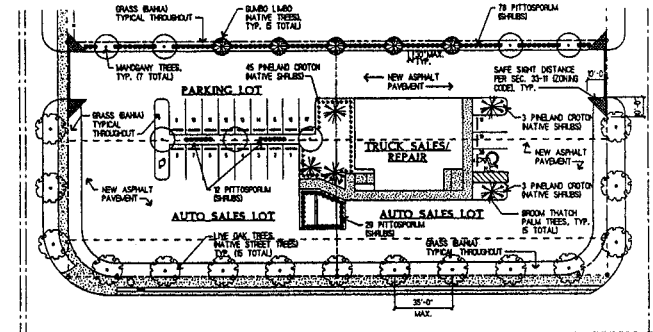
REQUIRED	PROVIDED
6,000 S.F.	6,024 S.F.
200 S.F.	200 S.F.
6,200 S.F.	6,224 S.F.
6,200 S.F.	6,224 S.F.
1,240	0
17	17
5	5
N/A	N/A
5	5
15	15
N/A	0
10	10
51	51

TABLE: CONTAINING INFORMATION AS INDICATED IN SAMPLE BELOW

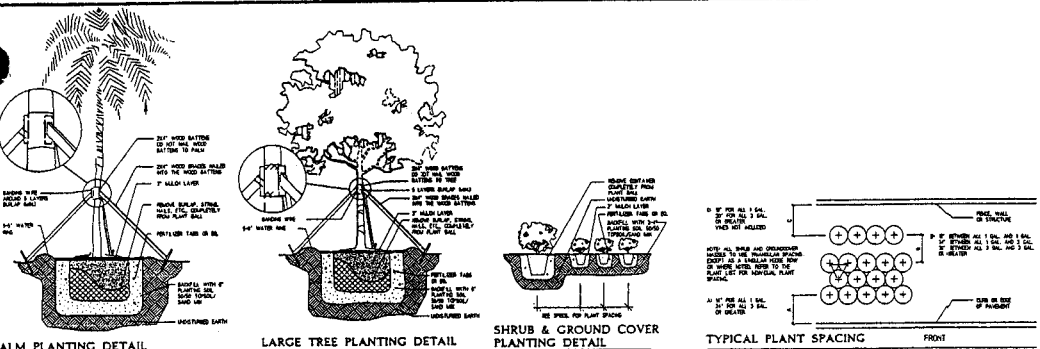
SYMBOL USED ON PLAN			PLANT NAME		NATIVE SPECIES		CALIPER		HEIGHT		CANOPY DIAMETER		QUANTITY
Symbol	Name	Existing	Scientific	Common	Yes	No	Installed	Installed	Estimated at Maturity	Estimated at Maturity	Estimated at Maturity		
	Yes	-	Quercus laurifolia	Live Oak	Yes	-	2'	12'	40' - 50'	35'	15		
	Yes	-	Syntherisma marginata	Manzanilla	-	No	2'	10'	30' - 50'	25'	7		
	Yes	-	Bursera simaruba	Curatella Live Oak	Yes	-	1 1/2'	8'	40' - 50'	20'	5		
	Yes	-	Thrinax parviflora	Brown Thatch Palm	No	3'	10'	20'	5' - 20'	20'	5		
	Yes	-	Pittosporum tobira	Palmetto	No	N/A	2' - 3'	8' - 8'	4'	10			
	Yes	-	Ocotea littoralis	Prostrate Ocotea	Yes	-	N/A	2' - 3'	3' - 6'	3'	24		

SCIENTIFIC NAME	COMMON NAME	TOLERANCE	SALT TOLERANCE	NATIVE CALIPER	NATIVE HEIGHT	MOVING LIGHT REQUIREMENTS	ESTABLISHMENT	WEAR TOLERANCE	TURF DENSITY	TURF TEXTURE	MAINTENANCE	PEST PROBLEMS	NOT LAMIN
PITTOSPORUM	GRASS	X	NO	NO	20"	2-4'	HIGH	GOOD	LOW	MEDIUM	LOW	LOW	N/A

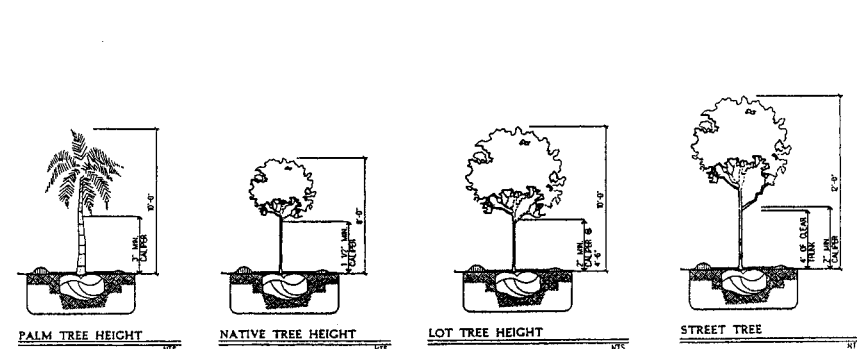
REQUIRED FOR TREES LOCATED UNDERNEATH OR ADJACENT TO POWERLINES AND PALMS USED AT 1:1 RATIO
ADDITIONAL INFORMATION REQUIRED BY CHAPTER 9A FOR BUSINESS AND INDUSTRIAL ZONES
REQUIRE LAMIN AREA AS PROVIDED IN CHAPTER 9A SHALL BE SUBTRACTED FROM NET LAMIN AREA WHEN CALCULATING NUMBER OF TREES



LANDSCAPING PLAN LEGEND AND NOTES



LANDSCAPING PLAN



TRUCK SALES OF MIAMI

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Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

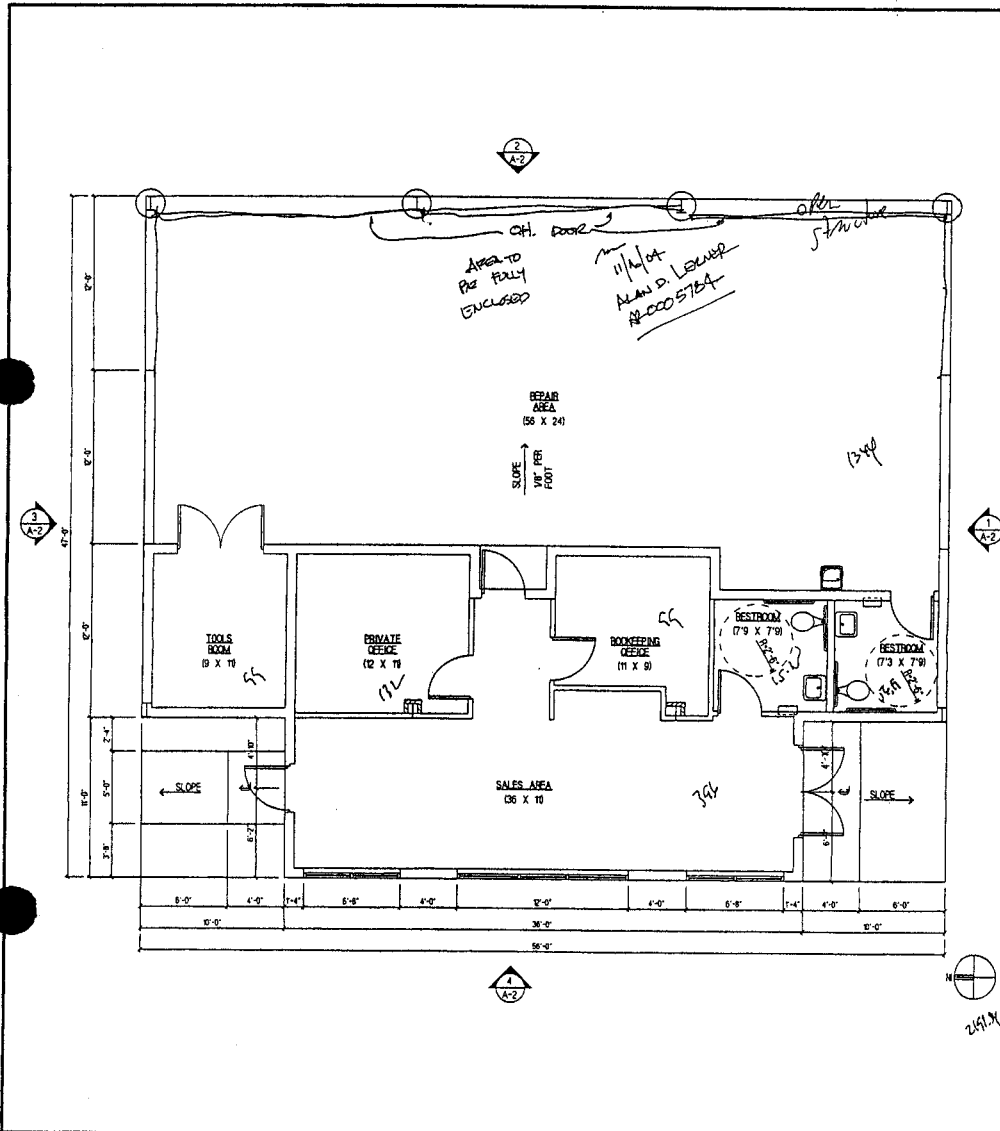
TRUCK SALES OF MIAMI

13831 SW 59 ST SUITE 200,
MIAMI, FL 33183
305-386-1700
AA-00000009

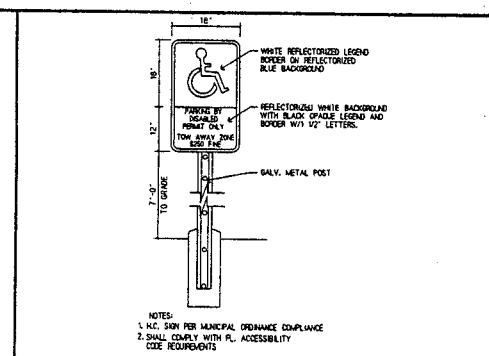
6501 NW 27TH AVE
MIAMI, FLORIDA 33147

DATE	DESCRIPTION	APPROVED	SEAL
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04/01/04	RELEASED FOR CONSTRUCTION	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
04/01/04	RECORD DRAWING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

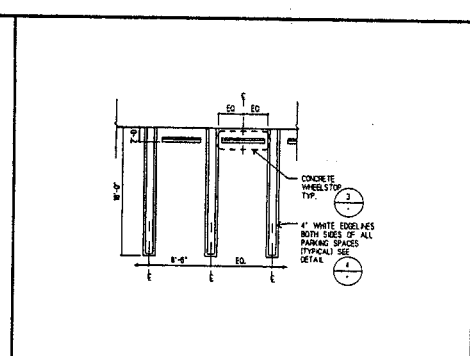
DRAWING TITLE	ARCHITECT'S P.L. NO.	DRAWING NO.
LANDSCAPE PLAN	04-005	L-1



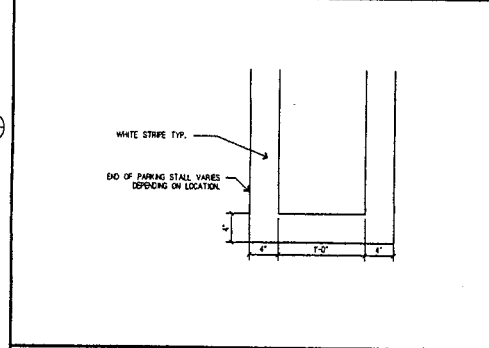
FLOOR PLAN SCALE: 1/4" = 1'-0" 7



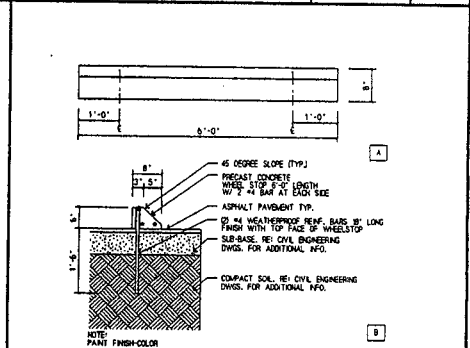
HANDICAPPED SIGN ELEVATION SCALE: 3/4" = 1'-0" 2



TYPICAL PARKING DETAIL SCALE: 1/8" = 1'-0" 1



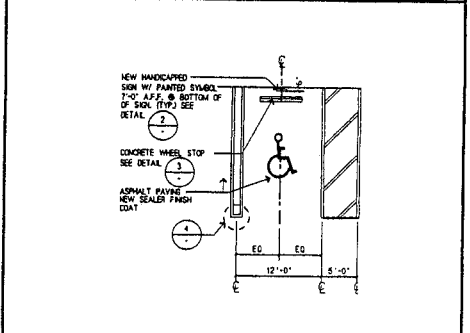
ELASTOMETRIC STRIPING DETAIL SCALE: 1 1/2" = 1'-0" 4



WHEEL STOP DETAIL SCALE: 3/4" = 1'-0" 3

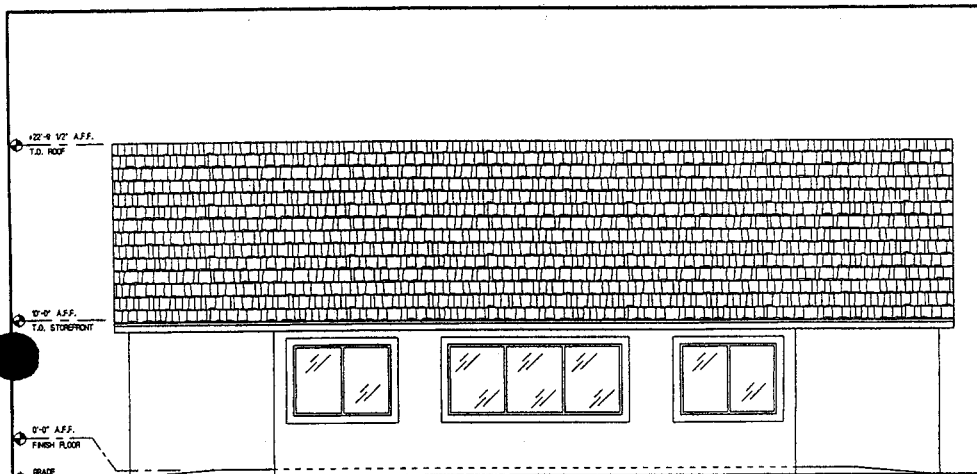


NOT USED 6



TYP. HANDICAPPED PARKING DTL SCALE: 1/8" = 1'-0" 5

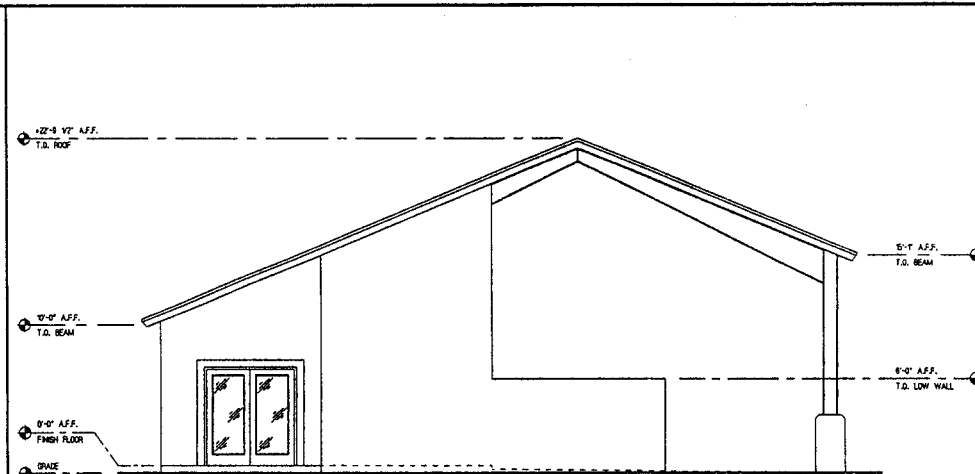
TRUCK SALES OF MIAMI Copyright © 2004 Offerle-Lerner AIA Architects & Planners All Rights Reserved		Offerle-Lerner, AIA ARCHITECTS AND PLANNERS PROJECT TITLE: TRUCK SALES OF MIAMI 13831 SW 68 ST SUITE 200, MIAMI, FL 33183 305-385-1700 AA#0003139		6501 NW 27TH AVE MIAMI, FLORIDA 33147		DATE: 02/24/04 DRAWN BY: CAD CHECKED BY: ADL APPROVED BY: ADL NOT FOR CONSTRUCTION RELEASED FOR CONSTRUCTION RECORD DRAWING AS-BUILT DRAWING		NO. DATE DESCRIPTION APPROV. SEAL MAR 3 & 4 2004 ALAN D. LERNER AA#0005764		DRAWING TITLE: MISC. DETAILS ARCHITECT'S PRL NO.: 04-005 DRAWING NO.: A-1 SHEET - OF -	
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EAST ELEVATION

SCALE: 1/4"=1'-0"

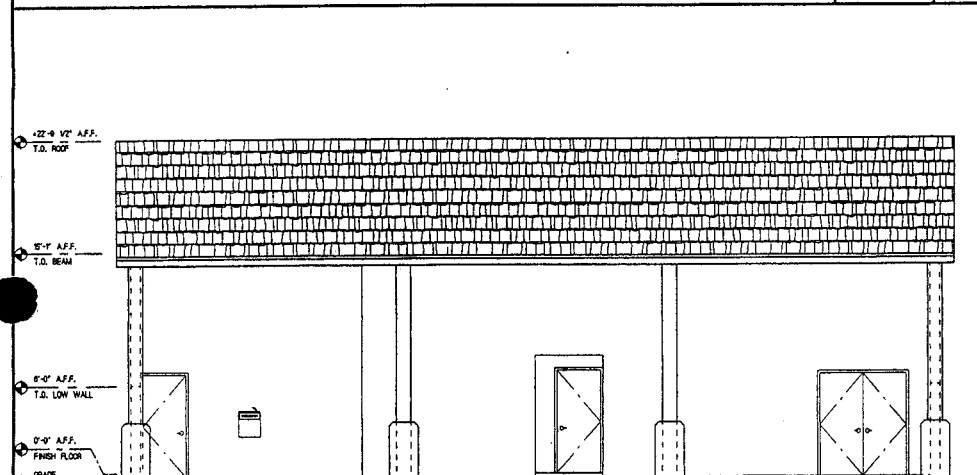
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NORTH ELEVATION

SCALE: 1/4"=1'-0"

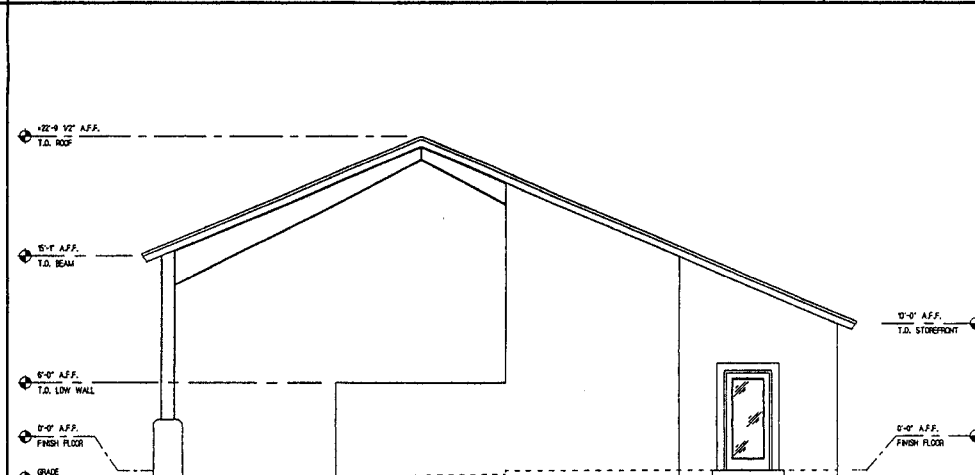
1



WEST ELEVATION

SCALE: 1/4"=1'-0"

4



SOUTH ELEVATION

SCALE: 1/4"=1'-0"

3

TRUCK SALES
OF MIAMI

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Architects & Planners
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REV. PLAN

PROJECT

Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

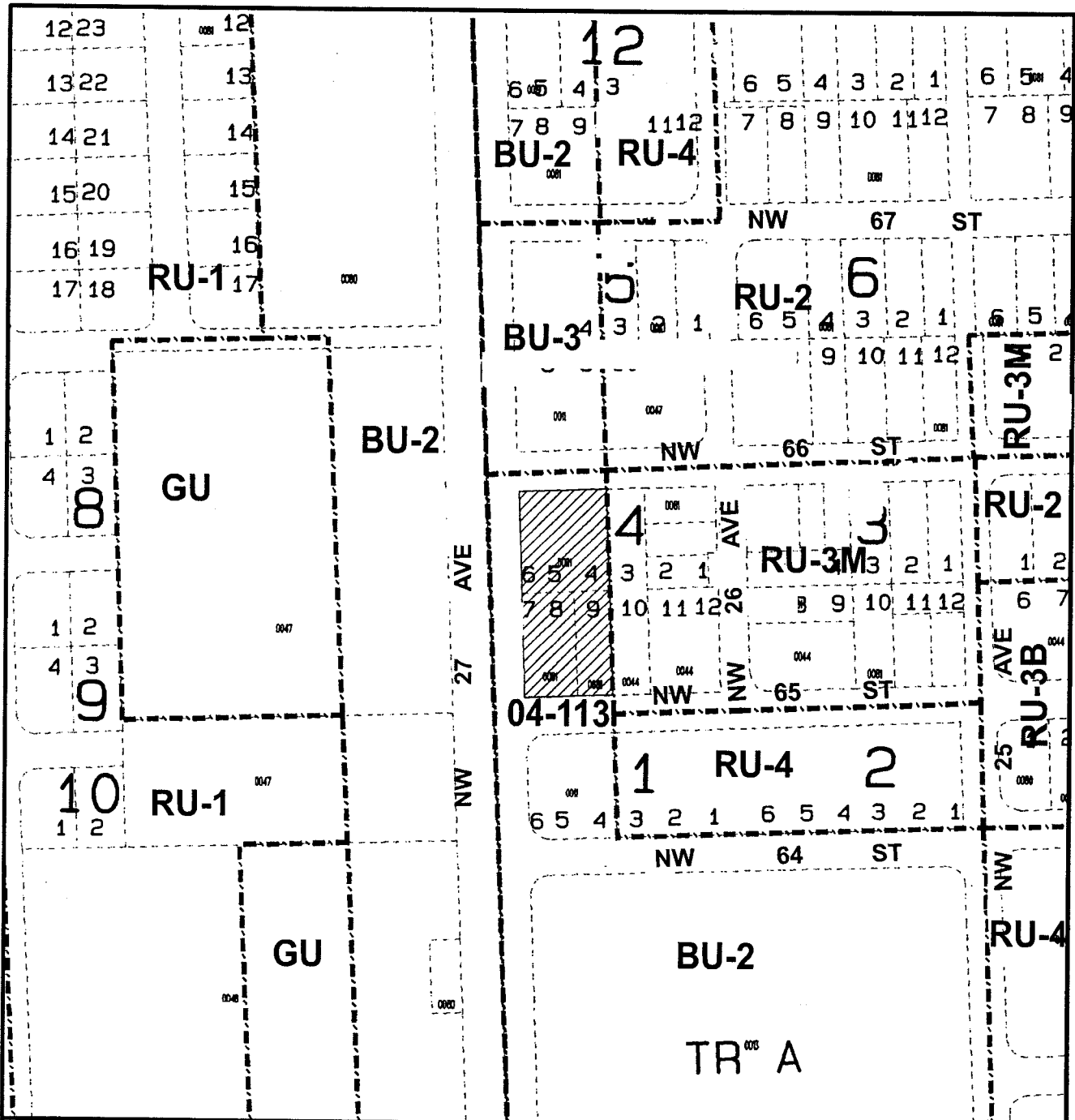
13831 SW 58 ST SUITE 200,
MIAMI, FL 33183
305-365-1100
AA#0003139

PROJECT TITLE

TRUCK SALES OF MIAMI

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

NO.	DATE	DESCRIPTION	APPROV.	REAL	DRAWING TITLE
					BUILDING ELEVATIONS
DATE DRAWN BY	02/24/04 CAD	NOT FOR CONSTRUCTION RELEASED FOR CONSTRUCTION	AD		ARCHITECT'S P.L.L. NO.
CHECKED BY	ADL	RECORD DRAWING	AD		04-005
APPROVED BY	ADL	AS-BUILT DRAWING	AD	ALAN D. LERNER AP#0002874	DRAWING NO. A-2
				MAR 2 4 2004	SHEET - OF -



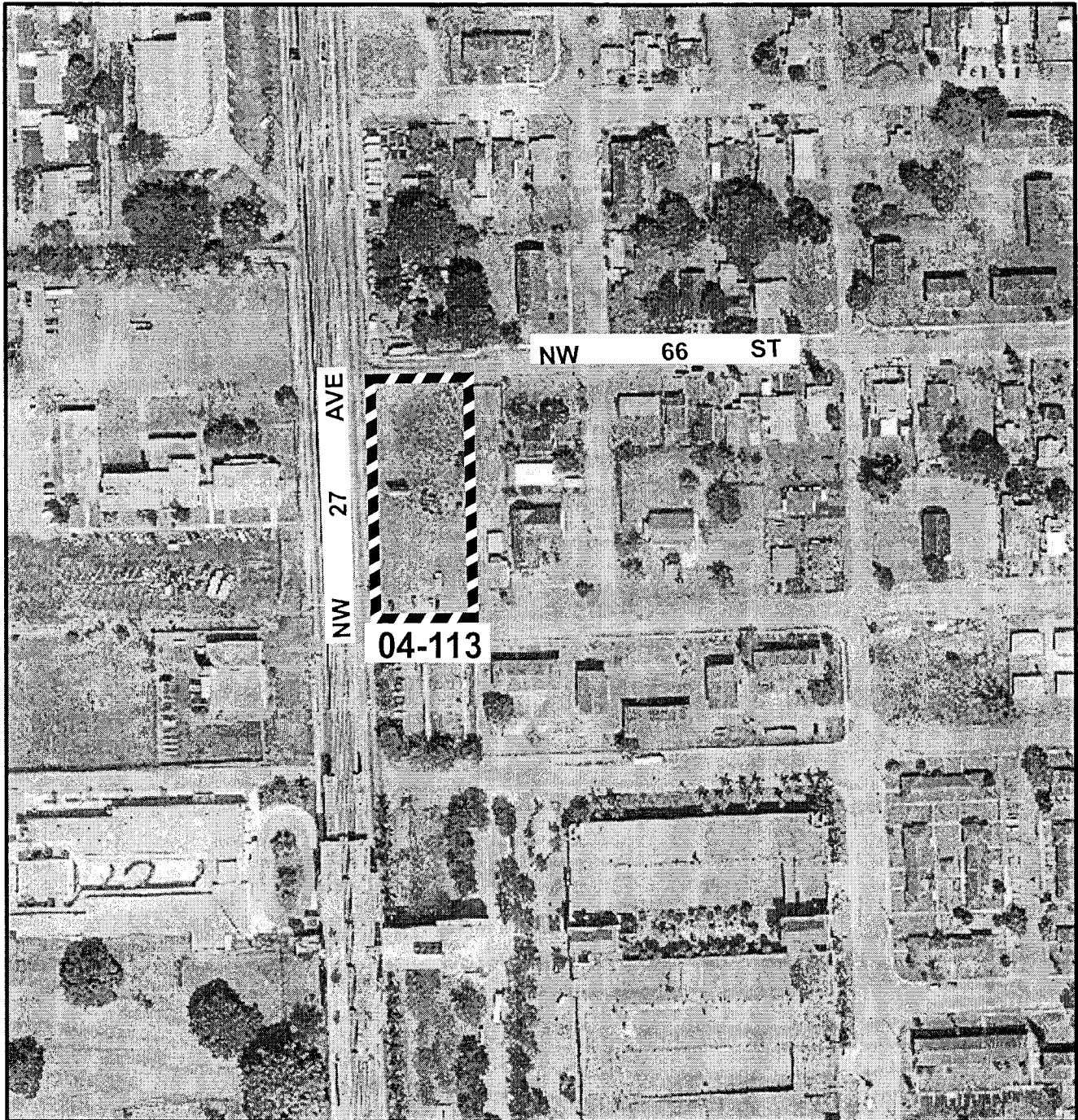
MIAMI-DADE COUNTY HEARING MAP

Section: 15 Township: 53 Range: 41
 Process Number: 04-113
 Applicant: ANTONIO SANCHEZ
 District Number: 02
 Zoning Board: C08
 Drafter ID: CIRO
 Scale: 1:200'



SUBJECT PROPERTY





MIAMI-DADE COUNTY

AERIAL

Section: 15 Township: 53 Range: 41

Process Number: 04-113

Applicant: ANTONIO SANCHEZ

District Number: 02

Zoning Board: C08

Drafter ID: CIRO

Scale: NTS

S C A L E
0 NTS



SUBJECT PROPERTY



B. ANTONIO SANCHEZ
(Applicant)

04-11-CZ8-1 (04-113)
BCC/District 2
Hearing Date: 3/17/05

Property Owner (if different from applicant) **Same**

Is there an option to purchase ☐ / lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1957	Susan F. Nelson	Zone change from RU-3B to BU-2.	CC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Antonio Sanchez

PH: Z04-113 (04-8-CZ8-1)

SECTION: 15-53-41

DATE: March 17, 2005

COMMISSION DISTRICT: 2

ITEM NO.: B

A. INTRODUCTION

o REQUESTS:

The applicant is appealing the decision of CZAB 8, which denied the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

o SUMMARY OF REQUESTS:

The requests will allow the applicant to change the zoning on the property from BU-2, Special Business District, to BU-3, Liberal Business District; will allow a used auto/truck sales business on a lot with less lot area than required; ancillary auto/truck repairs with a greater percentage of the gross building area than permitted; a narrower landscape greenbelt than required; will waive the required 5' high decorative masonry

wall where a business lot abuts a residential district along the east property line; will allow 0 shrubs along the right-of-way; less landscape open space than required; and will allow the facility to be located closer than permitted from a residential district.

o **LOCATION:**

Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida.

o **SIZE:** 0.77 Acre.

o **IMPACT:**

The approval of the rezoning to BU-3 will allow more intensive business uses on the property than are currently permitted. In particular, the requests made by this application will be intrusive to the surrounding area.

B. ZONING HEARINGS HISTORY:

In 1957, pursuant to Resolution SP665, the subject property was rezoned to BU-2, Special Business District,

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **business and office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, hi-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on local factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise and traffic, and in most wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; billboard

Business and Office

Surrounding Properties:

NORTH: BU-3; vacant parcel	Business and Office
SOUTH: BU-2; small retail center	Business and Office
EAST: RU-3M; church	Residential, 5 to 13 dua
WEST: BU-2; BAC Corporation	Business and Office

The subject property is located between NW 66 Street and NW 65 Street. The neighborhood where the subject property lies is characterized by retail centers and small commercial buildings on both sides of the NW 27 Avenue corridor. There are apartments and duplexes to the east of NW 27 Avenue and single-family residences to the west. Staff notes that the property was recently cleared and cleaned so that it is not unsightly.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	Unacceptable
Location of Buildings:	Unacceptable
Compatibility:	Unacceptable
Landscape Treatment:	Unacceptable
Open Space:	Unacceptable
Buffering:	Unacceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Unacceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for

construction, and if the development is or will be accessible by public or private roads, street or highways.

Section 33-311 (A)(4)(b). Non-use variances from other than airport regulations: Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c). Alternative non-use variance standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comments

* subject to conditions stated in their memoranda

H. ANALYSIS:

The applicant is appealing the decision of the Community Zoning Appeals Board-8 which denied this application without prejudice by a vote of 4 – 0 pursuant to Resolution CZAB8-25-04. The CDMP states that all existing uses and zoning are consistent with the Land Use Plan (LUP) map. As such, the Community Zoning Appeals Board-8's decision to retain the existing BU-2 zoning is consistent with the CDMP.

The applicant states in the appeal form that staff not only approved the application verbally but also did not mention or have any knowledge of any pending ordinance. The applicant further states that they paid their fees with the understanding that their plan would be approved.

Staff notes that the applicant has not produced any written documentation from the Department to substantiate the above mentioned claim. The Department's official recommendation submitted to the Board and the applicant was and is for denial without prejudice of this application. In addition, staff has always made it clear to all applicants that the ultimate decision for approval or denial rests upon the Board. The Department does note that in the past there have been approvals of similar applications for used auto / truck sales along the NW 27th Avenue corridor.

The subject property is located on the east side of NW 27 Avenue and south of NW 66 Street. The applicant is seeking a district boundary change from BU-2, Special Business District, to BU-3, Liberal Business District, and intends to develop the site with a used auto/truck sales business with ancillary auto/truck repairs. The applicant is also requesting to permit the aforementioned used auto/truck sales with less lot area than required, the ancillary auto/truck repair to occupy a greater percentage of the gross building area than permitted, a narrower landscape greenbelt than required, waive the required 5' high decorative wall where a business lot abuts a residential district along the east property line, 0 shrubs along the right-of-way, less landscape open space than required, and to permit the proposed facility to be closer than permitted from a residential district. The plans submitted by the applicant depict the proposed used auto/truck sales facility with ancillary auto/truck repairs. The proposed building will be located on the southern portion of the site and a parking area is located on the northern portion of the site. The proposed building will accommodate a showroom area, offices, and a repair area. An outdoor auto display area is provided along the north, south, and west sides of the property which will be separated from the rights-of-way by a 7' wide landscape greenbelt that will run along said property lines, except for ingress and egress. A 5' wide landscape greenbelt and a 5' high chain link fence is provided along the east property line. Gates are provided for the ingress and egress to the property which are from NW 65 Street and NW 66 Street. The subject property was cleared and is not unsightly. No ingress or egress is provided from NW 27 Avenue.

The Department of Environmental Resources Management (**DERM**) has **no objection** to this application. However, the applicant would have to comply with all of the conditions of DERM as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objection** to this application. Said Department will require, among other things, that the applicant dedicate the 25' radius corners at the intersection of NW 27 Avenue and NW 65 Street and the intersection of NW 27 Avenue and NW 66 Street. This property lies within the urban infill area where traffic concurrency does not apply.

The proposed BU-3 zoning will allow the applicant to provide more liberal commercial services to the community. The site plan submitted will allow the applicant to provide used auto/truck sales with ancillary auto/truck repairs to the community, a use currently not permitted as a matter of right on this BU-2 zoned property. Notwithstanding the highly commercial character of NW 27 Avenue, the east and west sides of NW 27 Avenue in this area are primarily zoned BU-2, which permits less intensive uses than the proposed BU-3 zoning district. With the exceptions of a used car lot which was approved via a use variance in 1993, pursuant to Resolution Z-106-93, for the block face located on the east side of NW 27 Avenue between NW 68 Street and NW 69 Street, and a rezoning to BU-3 in the block face directly to the north of the subject property with a covenant limiting the uses on the site to BU-2 uses and automobile, truck sales, rentals, and ancillary repairs, no other BU-3 uses or zoning have been granted in the immediate area. Staff notes that on May 25, 2004 the Community Zoning Appeals Board-8 approved a zone change from BU-1 and RU-1 to BU-3

zoning and a used auto and truck business on a site located at 9704 NW 27th Avenue. Said use was approved pursuant to Resolution CZAB8-13-04. Although the proposed zone change to BU-3 on the subject property would be **consistent** with the Land Use Plan (LUP) map's designation of this site for Business and Office use, said zoning would be **incompatible** with the surrounding area since it would permit more intensive commercial uses including the proposed used auto/truck business. Additionally, the site plan as submitted for the proposed used auto/truck sales with ancillary auto/truck repairs facility is unacceptable to staff, as it would be intrusive to the surrounding area.

When considered under Section 33-311(A)(4)(b) (NUV), requests #2 through 8 do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that Ordinance No. 03-238, which became effective on November 14, 2003, requires that the new or used open lot car and truck sales, in the BU-3 district be conducted on sites consisting of at least one (1) net acre, that a minimum of 20% of the net lot area of the site be developed as landscaped open space, and that a continuous, densely planted greenbelt of not less than 15' in width, except for ingress and egress, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Other requirements pertaining to their location in relation to types of roadways, the use of attention attracting devices, outdoor lighting, test driving, and outdoor paging and speaker systems were also included in the aforementioned ordinance.

The proposed facility with a lot area of 0.77 acre (1 acre required) would be overly intensive for this site as evidenced by the accompanying requests. A landscape greenbelt varying from 5' wide along the east property line to 7'.5" along the north, south, and west property lines will not adequately buffer the surrounding area from the proposed use. Although the residentially zoned property to the east is developed with a church, the neighborhood to the east is residential in character. Allowing a used auto/truck sales with ancillary auto/truck repairs facility located 29' (500' required) from a residential district would be overly intensive to same and the narrower than required landscape greenbelt would cause the short distance of the proposed use from the residential district to be even more intrusive to same. Additionally, waiving the required 5' high wall where a business lot abuts a residential district along the east property line would also add to the intrusiveness of the proposed use from said residential district. The applicant is providing less landscape open space than required and the ancillary auto/truck repairs would occupy 60% (15% permitted) of the gross building area which will add to the over intensity of the proposed use on this site. Further, allowing 0 shrubs along the right-of-way would not adequately buffer the proposed use from the surrounding area. The aforementioned requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. As such, Requests #2 through 8 do not meet the standard under Section 33-311(A)(4)(b) (NUV) and cannot be approved under same.

When Requests #2 thru 8 are analyzed under Section 33-311(A)(c) (ANUV), the applicant has not proven that a literal enforcement of the provisions thereof will result in unnecessary hardship since this property can be developed in accordance with BU-2 zoning standards. As such, said requests cannot be approved under said standard.

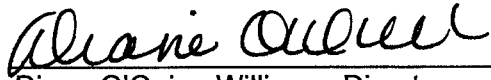
Accordingly, staff recommends denial without prejudice of the appeal and of the zone change to BU-3; and denial without prejudice of Requests #2 through 8 under Sections 33-311(A)(4)(b) (NUV) and (c) (ANUV).

I. **RECOMMENDATION:**

Denial without prejudice of the appeal and of the application.

J. **CONDITIONS:** None.

DATE INSPECTED: 09/21/04
DATE TYPED: 09/30/04
DATE REVISED: 10/22/04, 10/26/04, 10/28/04, 11/10/04, 1/28/05, 02/01/05
DATE FINALIZED: 03/01/05
DO'QW:AJT:MTF:JDR:CSE


Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning



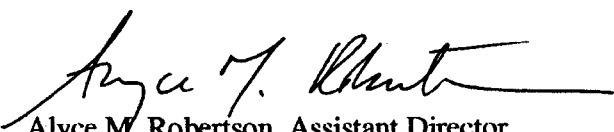
MEMORANDUM



TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: June 14, 2004

SUBJECT: C-08 #Z2004000113
Antonio Sanchez
E/S NW 27th Avenue & S/O NW 66th
Street
DBC from BU-2 to BU-3
(BU-2) (0.77 Ac.)
15-53-41

FROM: 
Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

The property is located within a Brownfield area; therefore, an environmental assessment may be required prior to the approval of any drainage system.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater

runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management:

Due to the nature of activities inherent to the requested land use, the applicant will be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with this land use, including but not limited to, the following:

1. All waste generating activities (i.e. all mechanical repairs/maintenance and dismantling) must be conducted on an impervious area (i.e. concrete pad). The work area must be provided with low berms/speed bumps or similar structure all around as to prevent any liquids to flow outside of the work area.
2. The work areas must be protected from rainwater intrusion with a roof extending a minimum of two feet beyond the retaining berms or speed bumps mentioned above.
3. All hazardous materials and hazardous waste must be provided with secondary containment capable of holding 110% of the largest containment and protected from rainwater intrusion.
4. All oily parts and parts containing or impregnated with hazardous materials must be stored on an impervious area protected from rainwater intrusion.
5. All parts stored outdoors must be stored on concrete or asphalt areas provided with an approved stormwater management plan.

The Industrial Facilities Section of DERM should be contacted for further information on required management practices for the requested land use and certain land uses permitted under the existing zoning classification.

Air Pollution:

Due to the nature of activities associated to the proposed land use (i.e. removal of A/C units), DERM review, approval and permits will be required for activities that could be a source of air pollution. The DERM Air Quality Management Division should be contacted for further information in this regard. The facility will require an Air Permit from this Department for any proposed automobile paint spray booth and any other possible sources of air pollution such as

degreasers, dust collectors, and so on. The applicant should contact the Air Division of DERM for the necessary application forms to construct and operate an air pollution source. Additionally, the removal or repair of automotive air condition units will also require permits from DERM.

Car Wash Wastewater Management and Disposal:

Chapter 24 of the Code regulates any management and disposal of wastewater. Car wash operations have been characterized as generators of wastewater that cannot be discharged into any stormwater runoff disposal system. Therefore, DERM will require that any car wash proposed or future operation complies with the following conditions:

1. All the wastewater from the car wash operation shall be directed into the sanitary sewer system or into a wastewater recycling system.
2. No wastewater from car wash operations shall be allowed to discharge into the stormwater disposal system or into the ground.
3. No car wash operations shall be permitted outdoors.

The applicant is advised that DERM approval of subsequent development orders or permits for this site will be contingent upon compliance with the above noted requirements.

Hazardous Materials Management:

Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the DERM Industrial Facilities Section concerning required management practices.

Operating Permits:

Section 24-35.1 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM might be required. It is therefore suggested that the applicant contact DERM concerning operating requirements.

Fuel Storage Facilities:

Section 24-12.2 of the Code outlines regulations for any proposed or existing underground storage facilities. The regulations provide design, permitting, installation, modification, repair, replacement and continuing operation requirements and criteria. In addition, monitoring devices, inventory control practices and pressure testing of fuel storage tanks is required. The Storage Tank Section of DERM should be contacted for permitting requirements in this regard, if any fuel storage facility is requested.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Chapter 24-3 and 24-58 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ANTONIO SANCHEZ

This Department has no objections to this application.

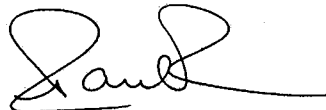
The applicant must dedicate the 25 foot radius corners at the intersection of NW 27 Ave. and NW 66 St. and the intersection of NW 27 Ave. and NW 65 St.

Gates are to remain open during hours of operation.

Landscaping and fences must comply with safe site distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Since this development abuts a State maintained road (NW 27 Ave.), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

28-JUL-04

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY JB

AMOUNT OF FEE \$923.40

RECEIPT # 1200411818

DATE HEARD: 11/16/04

BY CZAB # 82504

RECEIVED

DEC 06 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

DATE RECEIVED/STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 04-11-C28-1(04-113)

Filed in the name of (Applicant) ANTONIO Sanchez

Name of Appellant, if other than applicant Antonio Sanchez

Address/Location of APPELLANT'S property: 6601 N.W. 27 Ave.
MIAMI, FL 33147

Application, or part of Application being Appealed (Explanation):

Appellant (name): ANTONIO Luis Sanchez
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

As it was explained in our zoning hearing on
November 16, 2004. Staff not only approved the
application verbally but also did not mention or
have any knowledge of any pending
ordinance. we paid our fees with the
understanding that plan would be
approved.

APPELLANT MUST SIGN THIS PAGE

Date: 16 day of December, year: 2004

Signed Antonio L. Sanchez

Antonio L. Sanchez

Print Name

4926 NW 18th St, OpaLocka, FL

Mailing Address

33055

305-812-1400

Phone

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

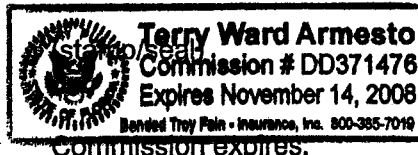
Zip

Telephone Number

Subscribed and Sworn to before me on the 6 day of December, year 2004

Terry Ward Armesto

Notary Public



APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI Dade

Before me the undersigned authority, personally appeared Antonio L. Sanchez
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☐ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Jessica Melo
Signature

Jessica Melo
Print Name

[Signature]
Signature

Forrest Sigman
Print Name

Antonio L. Sanchez
Appellant's signature

Antonio L. Sanchez
Print Name

Sworn to and subscribed before me on the 6th day of DECEMBER, year 2007

Appellant is personally know to me or has produced DRIVERS LICENSE # 5522-612-50-211-0
as identification.

[Signature]
Notary
(Stamp/Seal)

Commission Expires:



RESOLUTION NO. CZAB8-25-04

WHEREAS, ANTONIO SANCHEZ applied for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BU-3 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5" (Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to deny Items #1-8 without prejudice was offered by Billy Hester, seconded by Bertha M. Carswell, and upon a poll of the members present the vote was as follows:

Bertha M. Carswell	aye	Billy Hester	aye
Anthony Dawkins	aye	Arthemon Johnson	aye
David Daniel Gongora	absent		
		Fredricke Alan Morley	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to BU-3 be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5"

(Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of November 2004.

Hearing No. 04-11-CZ8-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

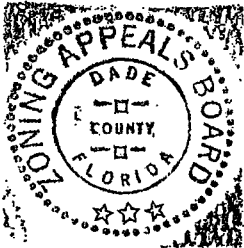
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-25-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of November, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 30th day of November, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MEMORANDUM

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

Legal Counsel's Office

Amended
Agenda Item No. 6(C)

TO: Hon. Chairperson and Members
Board of County Commissioners

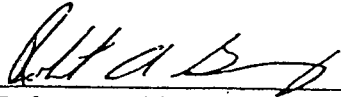
(Second Reading 11-4-03)
DATE: September 9, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

O#03-238

The accompanying ordinance was prepared and placed on the agenda at the request
of Commissioner Dorrin D. Rolle.


Robert A. Ginsburg
County Attorney

RAG/jls



TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: November 4, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance modifying
requirements for new and/or
used auto and truck sales

The proposed ordinance modifying requirements for new and/or used auto and truck sales, repairs, services and facilities in the BU-3 business district will have no fiscal impact on Miami-Dade County.



03 238

MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. DATE: November 4, 2003
and Members, Board of County Commissioners

FROM: Robert A. Ginsburg
County Attorney

Amended
SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

ended

Agenda Item No. 6 (C)

11-4-03

ORDINANCE NO. 03-238

ORDINANCE PERTAINING TO ZONING; MODIFYING REQUIREMENTS FOR ANY NEW AND/OR USED AUTO AND TRUCK SALES, REPAIRS, SERVICES AND FACILITIES IN BU-3 LIBERAL BUSINESS DISTRICT; AMENDING SECTION 33-255 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-255 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows¹:

Sec. 33-255. Uses permitted.

No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:

* * *

(3) Automobile and truck services and facilities including:

- (a) Open lot car >>and truck<< sales, >>new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:

- (1) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Directors of the Planning and Zoning and Public Works Departments for ingress and egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center and a hedge of a minimum of six (6) feet in height abutting residentially zoned property and a minimum of three (3) feet in height abutting public rights-of-way. The shade trees shall have a minimum caliper of two and one-half (2 1/2) inches at time of planting.

- (2) A minimum of twenty (20) percent of the net lot area of the site shall be developed as landscaped open space.
- (3) That such uses be located only on major access roads, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways.
- (4) That such uses be conducted on sites consisting of at least one (1) net acre.
- (5) That attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers and all fluttering, spinning advertising devices (either mobile or stationary) are prohibited, except as permitted under point of sale sign regulations.
- (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.
- (7) That no vehicular test drives shall be conducted on residential local traffic streets (fifty-foot right-of-way or less).
- (8) That the applicant obtains a certificate of use, which shall be automatically renewable yearly upon compliance with all terms and conditions.
- (9) All outdoor paging or speaker systems are expressly prohibited. This provision (9) shall also apply to all establishments in existence as of September 10, 1996.<<

- (b) Open lot car rental.
- (c) Automobile parts, secondhand from store building only.
- (d) Automobile body and top work and painting.

*

*

*

- (14) Garage or mechanical service,* >> including automobile repairs, body and top work and painting.<< All outdoor paging or speaker systems are expressly prohibited. This provision shall also apply to all establishments in existence as of ~~[[the effective date of this ordinance]]~~ >> September 10, 1996.<<

*

*

*

*NOTE: Provided no such establishment is located within five hundred (500) feet of any RU or EU District except after approval after public hearing. Provided, that, this spacing limitation shall be two hundred fifty (250) feet if the use is confined within a building and an exterior wall or walls of the building located on the establishment is not penetrated with any openings directly facing the RU or EU District. It is further provided that, except for exterior uses, such distances shall be measured from the closest point of the subject use in the building to the RU or EU District. In connection with exterior uses, the distance of five hundred (500) feet shall be measured from the closest point of the IU District to the RU or EU District. For purposes of establishing such distances, the applicant for such use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

*

*

*

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED: NOV 04 2003

Approved by County Attorney as
to form and legal sufficiency:

MAX

Prepared by:

CHC

Craig H. Coller

Sponsored by Commissioner Dorrin D. Rolle



C-08

MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 204-113Plans: ☐ Yes ☐ No Request: _____Location: ES of NW 27 Ave + Bet NW 65 + NW 66 St.Recommendation: ☒ Approved
☐ Approved with conditions
☐ Approved with no change from previous submittal
☐ Denial
☐ Defer to DIC commentsEstimated number of alarms generated annually by application: 8

If there is an impact, below is the service availability:

Station District 2 Grid 0862 DU(SF) 33541 Occupancy Type 3Impact of additional calls on closest station: ☐ No Impact
☒ Minimal Impact
☐ Moderate Impact
☐ Severe Impact

Planned Service to Mitigate:

Service

Location

Year to be
Completed☒ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 28 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by:

Kathryn LyonPhone: (786) 331-4546Date: 4-27-04

Revised 3/9/04 BJM

28

TEAM METRO

ENFORCEMENT HISTORY

ANTONIO SANCHEZ

LYING ON THE EAST SIDE OF NW
27 AVENUE & SOUTH OF NW 66
STREET.

APPLICANT

ADDRESS

Z2004000113

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CMS case# 200404002871 Folio#3031150430231
6/10/04 Found in violation; citation #937055 issued for Unauthorized Use
8/18/04 Property owner found guilty at Special Master Hearing
8/31/04 Violation corrected and citation paid in full. Case closed.

Antonio Sanchez
4926 NW 186 st
Opa Locka Fl. 33055

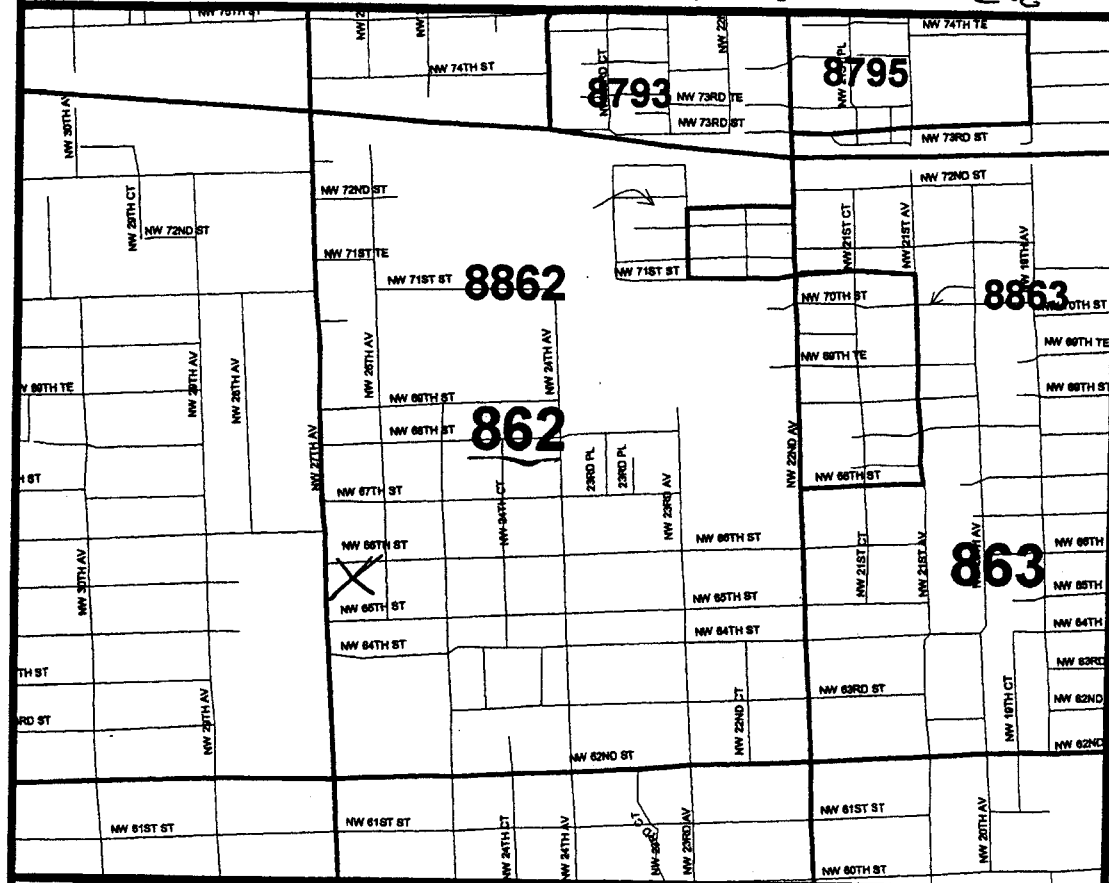
Beverly Washington



Miami-Dade Police Department
Target Area - Police Grid(s): 0862
Antonio Sanchez; Hearing # 04-113



C-8



Police Grids Boundaries
Boundary

MDPD Crime Analysis System
May 10, 2004
Data in this document represents
successfully geocoded attributes.



Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/02 Thru 2002-12-31



Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains "0000") and (Dis.Primary Unit not contains "SB") and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862	13	SPECIAL INFORMATION/ASSIGNMENT	332
	14	CONDUCT INVESTIGATION	599
	15	MEET AN OFFICER	1011
	17	TRAFFIC ACCIDENT	64
	18	HIT AND RUN	20
	19	TRAFFIC STOP	247
	20	TRAFFIC DETAIL	7
	21	LOST OR STOLEN TAG	31
	22	AUTO THEFT	49
	25	BURGLAR ALARM RINGING	74
	26	BURGLARY	83
	27	LARCENY	27
	28	VANDALISM	17
	29	ROBBERY	35
	30	SHOOTING	3
	32	ASSAULT	208
	33	SEX OFFENSE	4
	34	DISTURBANCE	348
	36	MISSING PERSON	32
	37	SUSPICIOUS VEHICLE	6
	38	SUSPICIOUS PERSON	11
	39	PRISONER	214

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/02 Thru 2002-12-31



Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains "0000") and (Dis.Primary Unit not contains "SB") and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862.	41	SICK OR INJURED PERSON	36
	43	BAKER ACT	10
	44	ATTEMPTED SUICIDE	2
	45	DEAD ON ARRIVAL	3
	47	BOMB OR EXPLOSIVE ALERT	1
	49	FIRE	12
	52	NARCOTICS INVESTIGATION	115
	54	FRAUD	16
	55	WEAPONS VIOLATION	3
Total Signals for Grid 0862 :			3620
Total Reported: 2467			Total Not Reported: 1153

Total for All Grids : 3620

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/03 Thru 2003-12-31



Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains "0000") and (Dis.Primary Unit not contains "SB") and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862	13	SPECIAL INFORMATION/ASSIGNMENT	308
	14	CONDUCT INVESTIGATION	457
	15	MEET AN OFFICER	938
	16	D.U.I.	2
	17	TRAFFIC ACCIDENT	63
	18	HIT AND RUN	10
	19	TRAFFIC STOP	181
	20	TRAFFIC DETAIL	8
	21	LOST OR STOLEN TAG	15
	22	AUTO THEFT	65
	25	BURGLAR ALARM RINGING	51
	26	BURGLARY	84
	27	LARCENY	52
	28	VANDALISM	26
	29	ROBBERY	42
	30	SHOOTING	2
	32	ASSAULT	226
	33	SEX OFFENSE	9
	34	DISTURBANCE	372
	36	MISSING PERSON	41
	37	SUSPICIOUS VEHICLE	9
	38	SUSPICIOUS PERSON	10

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/03 Thru 2003-12-31



Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains "0000") and (Dis.Primary Unit not contains "SB") and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862.	39	PRISONER	143
	41	SICK OR INJURED PERSON	58
	43	BAKER ACT	6
	44	ATTEMPTED SUICIDE	3
	45	DEAD ON ARRIVAL	2
	49	FIRE	15
	52	NARCOTICS INVESTIGATION	78
	53	ABDUCTION	1
	54	FRAUD	14
	55	WEAPONS VIOLATION	7
Total Signals for Grid 0862 :			3298
Total Reported: 2327			Total Not Reported: 971

Total for All Grids : 3298



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/02 Thru 1/1/03
YEAR: 2002

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART I Crimes	Total Crimes
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	1
110B - SODOMY	1
110C - FONDLING	1
1200 - ROBBERY	43
130A - AGGRAVATED ASSAULT	54
2200 - BURGLARY	40
230C - SHOPLIFTING	1
230F - SHOPLIFTING FROM A MOTOR VEHICLE	33
230G - SHOPLIFTING ALL OTHERS	61
2400 - MOTOR VEHICLE THEFT	15



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/02 Thru 1/1/03
YEAR: 2002

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART II Crimes	Total Crimes
2000 - ARSON	2
130B - SIMPLE ASSAULT	75
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	116
350B - ILLEGAL DRUG EQUIPMENT	9
260A - FRAUD CON/SWINDLE/FALSE PRET.	6
260B - FRAUD CREDIT CARD/ATM	1
260D - IMPERSONATION	3

Grand Total: 463

Detail Filter: OI.Incident From Date Time >= "2002-01-01" and OI.Incident From Date Time < "2003-01-01" and OI.Offense.Ucr Code in ('090A', '1200', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '280A', '280B', '280D', '280E', '280F', '1000', '2000', '110A', '110B', '110C') and OIAoa Agency Code = '000' and OIClearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("0862")) and OI.Reporting_Agency_Code = "030"



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/03 Thru 1/1/04
YEAR: 2003

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0882

PART I Crimes	Total Crimes
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	3
110B - SODOMY	1
1200 - ROBBERY	38
130A - AGGRAVATED ASSAULT	57
2200 - BURGLARY	34
230C - SHOPLIFTING	1
230F - SHOPLIFTING FROM A MOTOR VEHICLE	23
230G - SHOPLIFTING ALL OTHERS	68
2400 - MOTOR VEHICLE THEFT	27



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AOA
Reporting Agency: MDPD
From 1/1/03 Thru 1/1/04
YEAR: 2003

Crime Information Warehouse

Prompt Variable Used: All County: N

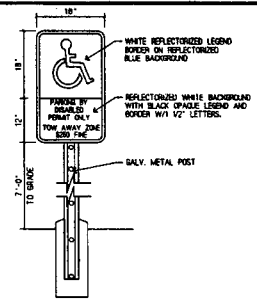
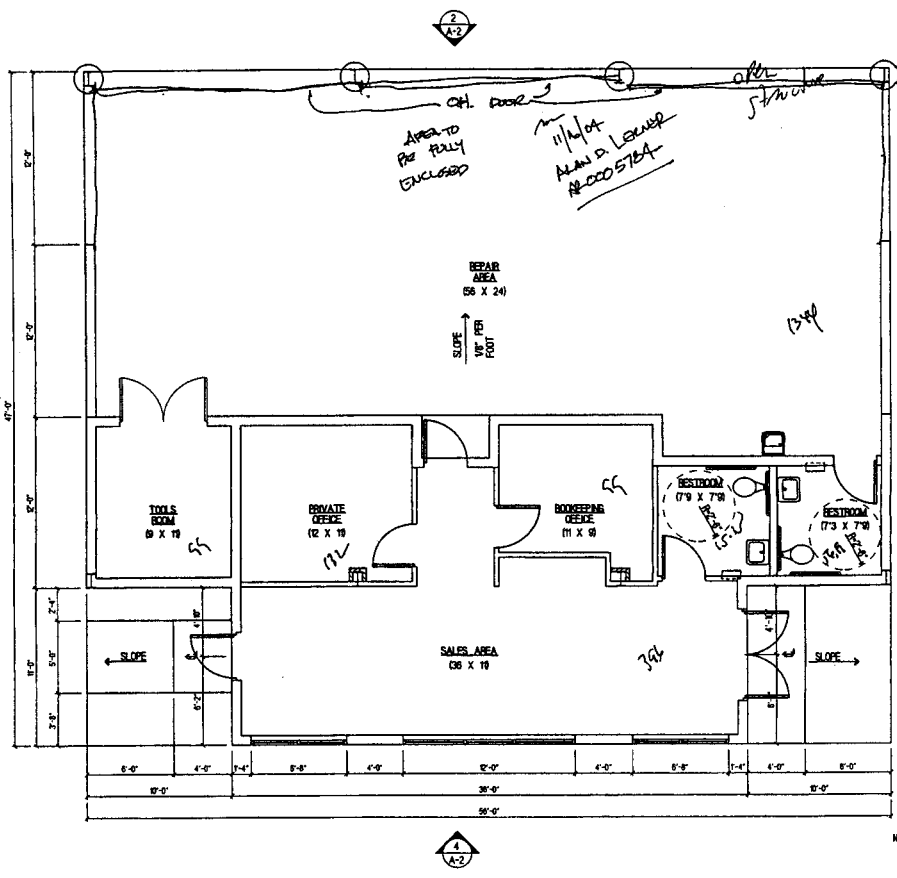
Grid(s): 0862

PART II Crimes	Total Crimes
1000 - KIDNAPPING - ABDUCTION	4
2000 - ARSON	4
130B - SIMPLE ASSAULT	57
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	92
350B - ILLEGAL DRUG EQUIPMENT	13
260A - FRAUD CON/SWINDLE/FALSE PRET.	1
260B - FRAUD CREDIT CARD/ATM	1
260D - IMPERSONATION	5

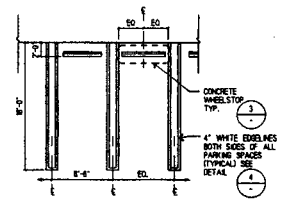
Grand Total: 430

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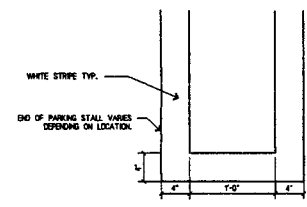
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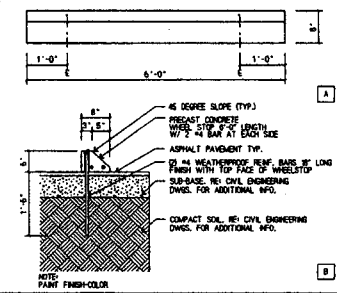
HANDICAPPED SIGN ELEVATION SCALE: 3/4" = 1'-0" 2



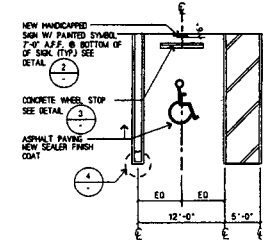
TYPICAL PARKING DETAIL SCALE: 1/8" = 1'-0" 1



ELASTOMETRIC STRIPING DETAIL SCALE: 1 1/2" = 1'-0" 4



WHEEL STOP DETAIL SCALE: 3/4" = 1'-0" 3



TYP. HANDICAPPED PARKING DETAIL SCALE: 1/8" = 1'-0" 5

FLOOR PLAN SCALE: 1/4" = 1'-0" 7

NOT USED N.T.S. 6

TRUCK SALES OF MIAMI

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ARCHITECTS & PLANNERS
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Offerle-Lerner, AIA
ARCHITECTS AND PLANNERS

PROJECT TITLE TRUCK SALES OF MIAMI

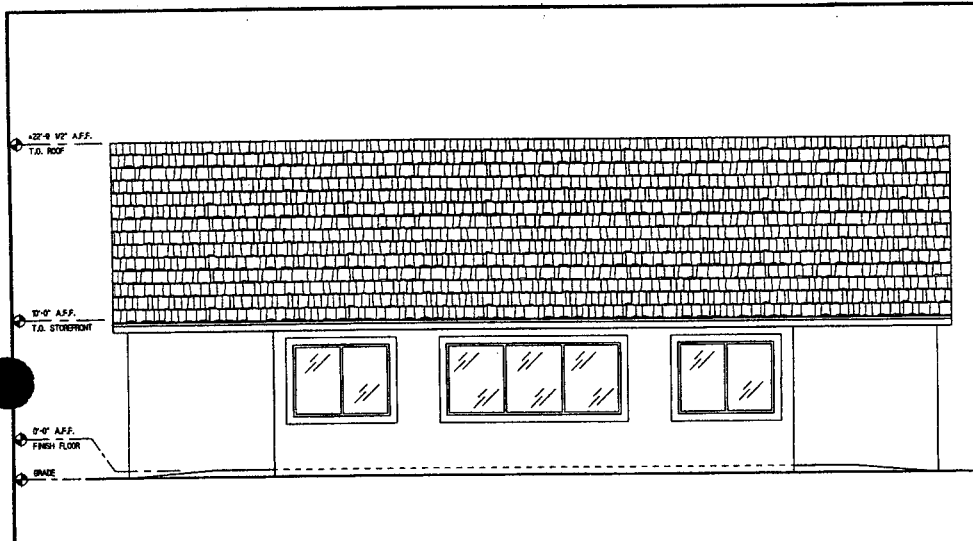
3831 SW 50 ST SUITE 200,
MIAMI, FL 33183
305-396-1700
AA*0003130

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

DATE	DESCRIPTION	APPROVED	REAL
02/24/04	NOT FOR CONSTRUCTION	<input type="checkbox"/>	<input type="checkbox"/>
DATE	RELEASED FOR CONSTRUCTION	<input type="checkbox"/>	<input type="checkbox"/>
BY	RECORD DRAWING	<input type="checkbox"/>	<input type="checkbox"/>
APPROVED BY	AS-BUILT DRAWING	<input type="checkbox"/>	<input type="checkbox"/>

Signature: *Alan D. Lerner*
MAR 2 4 2004
ALAN D. LERNER
ARCHITECT

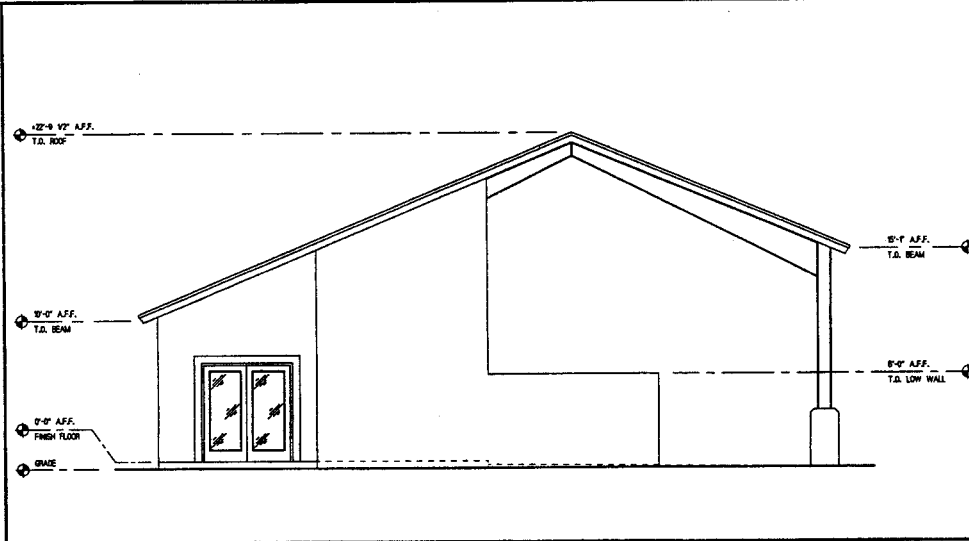
PROJECT TITLE	MISC. DETAILS
ARCHITECT'S FILE NO.	DRAWING NO.
04-005	A-1
	SHEET - OF -



EAST ELEVATION

SCALE: 1/4"=1'-0"

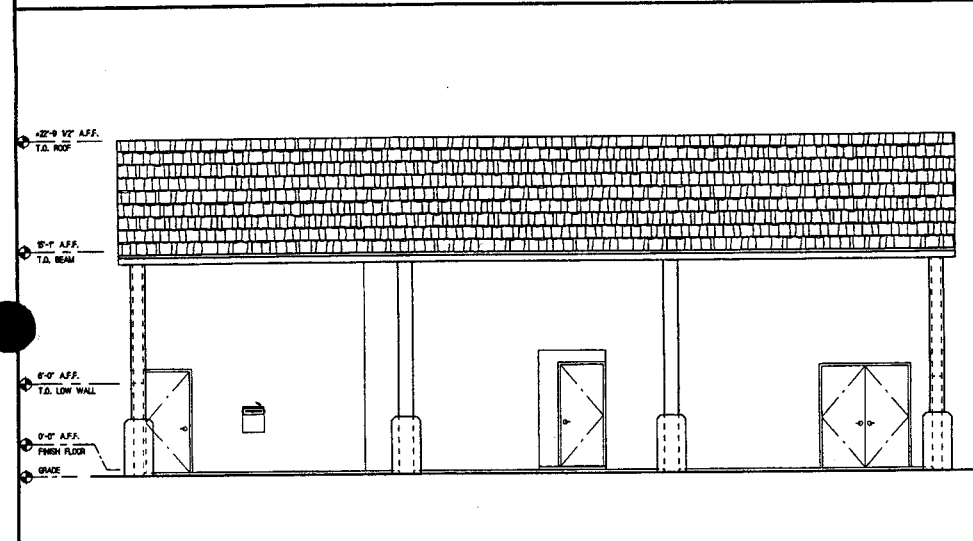
2



NORTH ELEVATION

SCALE: 1/4"=1'-0"

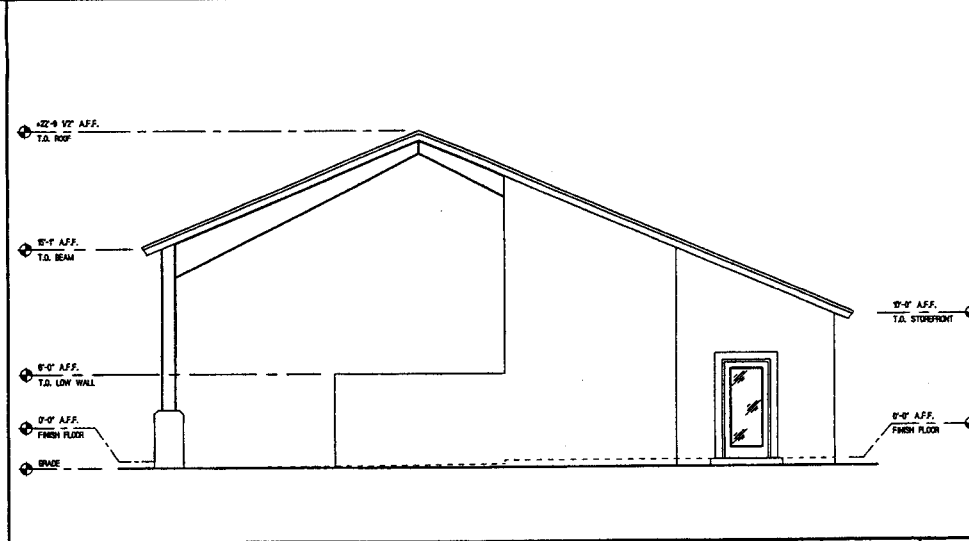
1



WEST ELEVATION

SCALE: 1/4"=1'-0"

4



SOUTH ELEVATION

SCALE: 1/4"=1'-0"

3

TRUCK SALES
OF MIAMI

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REV. PLAN

PROJECT

Offerle-Lerner, AIA

ARCHITECTS AND PLANNERS

PROJECT TITLE

TRUCK SALES OF MIAMI

13631 SW 59 ST SUITE 200,
MIAMI, FL 33163
305-385-1700
AA#0003139

6501 NW 27TH AVE
MIAMI, FLORIDA 33147

REV. DATE DESCRIPTION APPROV. SEAL

DATE DRAWN BY 02/24/04 CAD NOT FOR CONSTRUCTION
CHECKED BY ADL. RELEASED FOR CONSTRUCTION
APPROVED BY ADL. RECORD DRAWING
AS-BUILT DRAWING

APPROV. SEAL
MAR 24 2004
ALAN D. LERNER
ARCHITECT

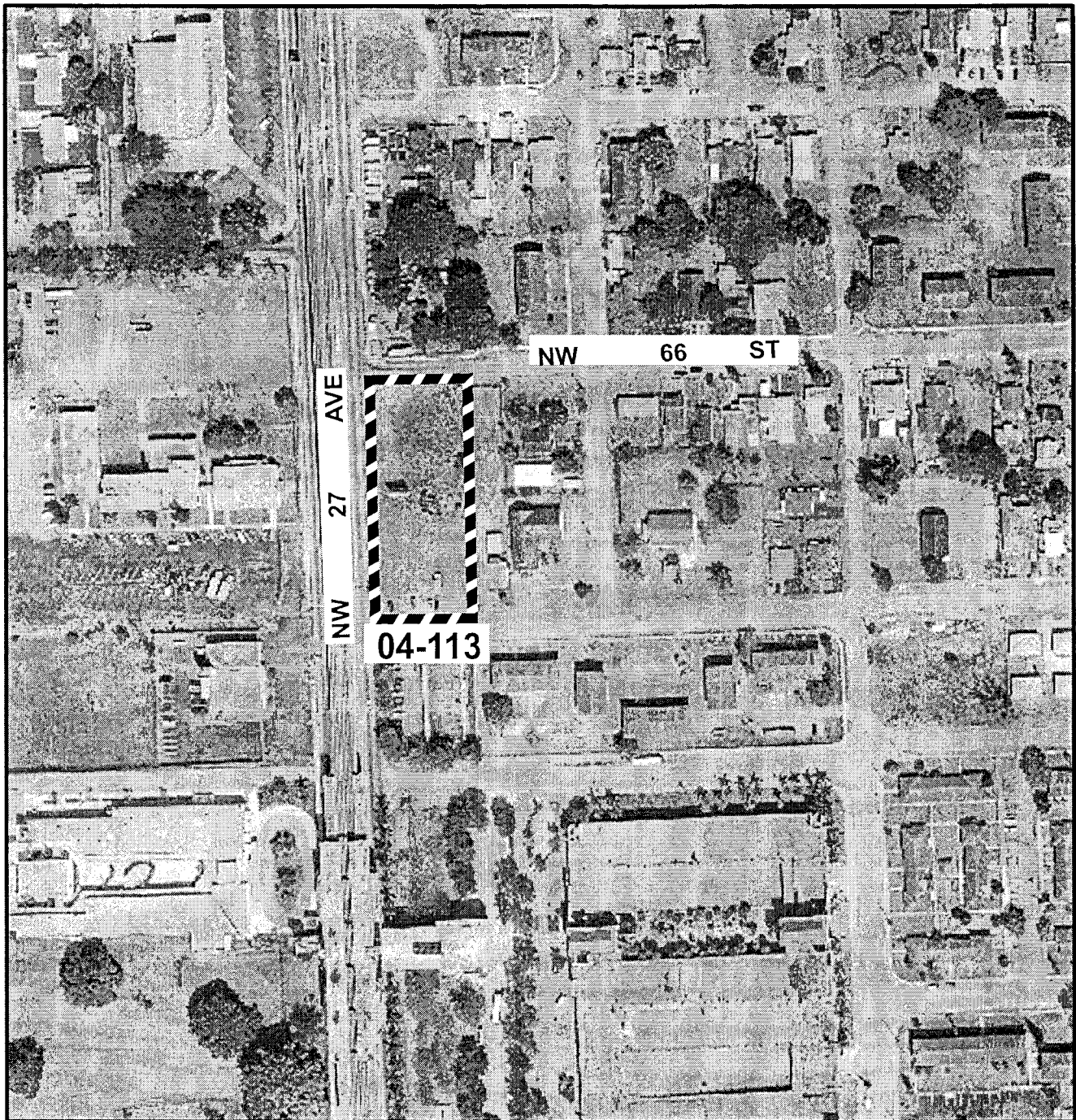
DRAWING TITLE

BUILDING ELEVATIONS

PROJECT'S FILE NO.
04-005

DRAWING NO.
A-2
SHEET - OF -





MIAMI-DADE COUNTY

AERIAL

Section: 15 Township: 53 Range: 41

Process Number: 04-113

Applicant: ANTONIO SANCHEZ

District Number: 02

Zoning Board: C08

Drafter ID: CIRO

Scale: NTS

S C A L E
0 NTS



SUBJECT PROPERTY



1. ANTONIO SANCHEZ
(Applicant)

04-11-CZ8-1 (04-113)
Area 8/District 2
Hearing Date: 11/16/04

Property Owner (if different from applicant) **Same**

Is there an option to purchase ☐ / lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1957	Susan F. Nelson	Zone change from RU-3B to BU-2.	CC	Approved

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 8**

APPLICANT: Antonio Sanchez

PH: Z04-113 (04-8-CZ8-1)

SECTION: 15-53-41

DATE: November 16, 2004

COMMISSION DISTRICT: 2

ITEM NO.: 1

A. INTRODUCTION

o **REQUESTS:**

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The requests will allow the applicant to change the zoning on the property from BU-2, Special Business District, to BU-3, Liberal Business District; will allow a used auto/truck sales business on a lot with less lot area than required; ancillary auto/truck repairs with a greater percentage of the gross building area than permitted; a narrower landscape greenbelt than required; will waive the required 5' high decorative masonry wall where a business lot abuts a residential district along the east property line; will

allow 0 shrubs along the right-of-way; less landscape open space than required; and will allow the facility to be located closer than permitted from a residential district.

o **LOCATION:**

Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida.

o **SIZE:** 0.77 Acre.

o **IMPACT:**

The approval of the rezoning to BU-3 will allow more intensive business uses on the property than are currently permitted. In particular, the requests made by this application will be intrusive to the surrounding area.

B. ZONING HEARINGS HISTORY:

In 1957, pursuant to Resolution SP665, the subject property was rezoned to BU-2, Special Business District,

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **business and office**. This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, hi-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on local factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise and traffic, and in most wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

BU-2; billboard

Business and Office

Surrounding Properties:

NORTH: BU-3; vacant parcel	Business and Office
SOUTH: BU-2; small retail center	Business and Office
EAST: RU-3M; church	Residential, 5 to 13 dua
WEST: BU-2; BAC Corporation	Business and Office

The subject property is located between NW 66 Street and NW 65 Street. The neighborhood where the subject property lies is characterized by retail centers and small commercial buildings on both sides of the NW 27 Avenue corridor. There are apartments and duplexes to the east of NW 27 Avenue and single-family residences to the west. Staff notes that the property was recently cleared and cleaned so that it is not unsightly.

E. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	Unacceptable
Location of Buildings:	Unacceptable
Compatibility:	Unacceptable
Landscape Treatment:	Unacceptable
Open Space:	Unacceptable
Buffering:	Unacceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Unacceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

The Board shall hear and grant or deny applications for **district boundary changes** taking into consideration that same must be consistent with the CDMP, with applicable area or neighborhood studies or plans, and would serve a public benefit. The Board shall take into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities, including mass transit, roads, streets, and highways or other necessary public facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, street or highways.

Section 33-311 (A)(4)(b). Non-use variances from other than airport regulations: Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c). Alternative non-use variance standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comments

* subject to conditions stated in their memoranda

H. ANALYSIS:

The subject property is located on the east side of NW 27 Avenue and south of NW 66 Street. The applicant is seeking a district boundary change from BU-2, Special Business District, to BU-3, Liberal Business District. The applicant intends to develop the site with a used auto/truck sales business with ancillary auto/truck repairs. The applicant is also requesting to permit the aforementioned used auto/truck sales with less lot area than required, the ancillary auto/truck repair to occupy a greater percentage of the gross building area than permitted, a narrower landscape greenbelt than required, waive the required 5' high decorative wall where a business lot abuts a residential district along the east property line, 0 shrubs along the right-of-way, less landscape open space than required, and to permit the proposed facility to be closer than permitted from a residential district. The plans submitted by the applicant depict the proposed used auto/truck sales facility with ancillary auto/truck repairs. The proposed building will be located on the southern portion of the site and a parking area is located on the northern portion of the site. The proposed building will accommodate a showroom area,

offices, and a repair area. An outdoor auto display area is provided along the north, south, and west sides of the property which will be separated from the rights-of-way by a 7' wide landscape greenbelt that will run along said property lines, except for ingress and egress. A 5' wide landscape greenbelt and a 5' high chain link fence is provided along the east property line. Gates are provided for the ingress and egress to the property which are from NW 65 Street and NW 66 Street. The subject property was recently cleared and is not unsightly. No ingress or egress is provided from NW 27 Avenue.

The Department of Environmental Resources Management (**DERM**) has **no objection** to this application. However, the applicant would have to comply with all of the conditions of DERM as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objection** to this application. Said Department will require, among other things, that the applicant dedicate the 25' radius corners at the intersection of NW 27 Avenue and NW 65 Street and the intersection of NW 27 Avenue and NW 66 Street. This property lies within the urban infill area where traffic concurrency does not apply.

The proposed BU-3 zoning will allow the applicant to provide more liberal commercial services to the community. The site plan submitted will allow the applicant to provide used auto/truck sales with ancillary auto/truck repairs to the community. Notwithstanding the highly commercial character of NW 27 Avenue, the east and west sides of NW 27 Avenue in this area are primarily zoned BU-2, which permits less intensive uses than the proposed BU-3 zoning district. With the exceptions of a used car lot which was approved via a use variance in 1993, pursuant to Resolution Z-106-93, for the block face located on the east side of NW 27 Avenue between NW 68 Street and NW 69 Street, and a rezoning to BU-3 in the block face directly to the north of the subject property with a covenant limiting the uses on the site to BU-2 uses and automobile, truck sales, rentals, and ancillary repairs, no other BU-3 uses or zoning have been granted in the immediate area. Staff notes that on May 25, 2004 this Board approved a zone change from BU-1 and RU-1 to BU-3 zoning and a used auto and truck business on a site located at 9704 NW 27th Avenue. Said use was approved pursuant to Resolution CZAB8-13-04. Although the proposed zone change to BU-3 would be **consistent** with the Land Use Plan (LUP) map's designation of this site for Business and Office use, said zoning would be **incompatible** with the surrounding area since it would permit more intensive commercial uses including the proposed used auto/truck business. Additionally, the site plan as submitted for the proposed used auto/truck sales with ancillary auto/truck repairs facility is unacceptable to staff, as it would be intrusive to the surrounding area.

When considered under Section 33-311(A)(4)(b) (NUV), requests #2 thru 6 do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. Staff notes that Ordinance No. 03-238, which became effective on November 14, 2003, requires that the sales of cars and trucks in the BU-3 district be conducted on sites consisting of at least one (1) net acre, that a minimum of 20% of the net lot area of the site be developed as landscaped open space, and that a continuous, densely planted greenbelt of not less than 15' in width, except for ingress and egress, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Other requirements pertaining to, sitting in relation to types of roadways, the use of attention attracting devices, outdoor lighting, test driving, and outdoor paging and speaker systems were also included in the aforementioned ordinance. The proposed facility with a lot area of 0.77 acre (1 acre required) would be overly intensive for this site as evidenced by the accompanying requests. A landscape greenbelt varying from 5' wide along the east property line to 7' along the north, south, and west

property lines will not adequately buffer the surrounding area from the proposed use. Although the residentially zoned property to the east is developed with a church, the neighborhood to the east is residential in character. Allowing a used auto/truck sales with ancillary auto/truck repairs facility located 29' (500' required) from a residential district would be overly intensive to same and the narrower than required landscape greenbelt would cause the short distance of the proposed use from the residential district to be even more intrusive to same. Additionally, waiving the required 5' high wall where a business lot abuts a residential district along the east property line would also add to the intrusiveness of the proposed use from said residential district. The applicant is providing less landscape open space than required and the ancillary auto/truck repairs would occupy 60% (15% permitted) of the gross building area which will add to the over intensity of the proposed use on this site. Further, allowing 0 shrubs along the right-of-way would not adequately buffer the proposed use from the surrounding area. The aforementioned requests do not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations. As such, Requests #2 thru 8 do not meet the standard under Section 33-311(A)(4)(b) (NUV) and cannot be approved under same.

When Requests #2 thru 8 are analyzed under Section 33-311(A)(c) (ANUV), the applicant has not proven that a literal enforcement of the provisions thereof will result in unnecessary hardship since this property can be developed in accordance with BU-2 zoning standards. As such, said requests cannot be approved under said standard.

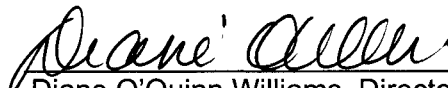
Accordingly, staff recommends denial without prejudice of the zone change to BU-3; and denial without prejudice of Requests #2 thru 8 under Sections 33-311(A)(4)(b) and (c).

I. RECOMMENDATION:

Denial without prejudice of the zone change to BU-3; denial without prejudice of Requests #2 thru 8 under Sections 33-311(A)(4)(b) and (c).

J. CONDITIONS: None.

DATE INSPECTED: 09/21/04
DATE TYPED: 09/30/04
DATE REVISED: 10/22/04, 10/26/04, 10/28/04, 11/10/04
DATE FINALIZED: 11/09/04, 11/10/04
DO'QW:AJT:MTF:JDR:CSE


Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

7

TO: Diane O' Quinn-Williams, Director
Department of Planning and Zoning

DATE: June 14, 2004

RECEIVED
JUN 24 2004

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

SUBJECT: C-08 #Z2004000113
Antonio Sanchez
E/S NW 27th Avenue & S/O NW 66th
Street
DBC from BU-2 to BU-3
(BU-2) (0.77 Ac.)
15-53-41

FROM: 
Alyce M. Robertson, Assistant Director
Environmental Resources Management

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

The property is located within a Brownfield area; therefore, an environmental assessment may be required prior to the approval of any drainage system.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater

runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

A No-Notice General Environmental Resource Permit from DERM shall be required for the drainage system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management:

Due to the nature of activities inherent to the requested land use, the applicant will be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with this land use, including but not limited to, the following:

1. All waste generating activities (i.e. all mechanical repairs/maintenance and dismantling) must be conducted on an impervious area (i.e. concrete pad). The work area must be provided with low berms/speed bumps or similar structure all around as to prevent any liquids to flow outside of the work area.
2. The work areas must be protected from rainwater intrusion with a roof extending a minimum of two feet beyond the retaining berms or speed bumps mentioned above.
3. All hazardous materials and hazardous waste must be provided with secondary containment capable of holding 110% of the largest containment and protected from rainwater intrusion.
4. All oily parts and parts containing or impregnated with hazardous materials must be stored on an impervious area protected from rainwater intrusion.
5. All parts stored outdoors must be stored on concrete or asphalt areas provided with an approved stormwater management plan.

The Industrial Facilities Section of DERM should be contacted for further information on required management practices for the requested land use and certain land uses permitted under the existing zoning classification.

Air Pollution:

Due to the nature of activities associated to the proposed land use (i.e. removal of A/C units), DERM review, approval and permits will be required for activities that could be a source of air pollution. The DERM Air Quality Management Division should be contacted for further information in this regard. The facility will require an Air Permit from this Department for any proposed automobile paint spray booth and any other possible sources of air pollution such as

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: ANTONIO SANCHEZ

This Department has no objections to this application.

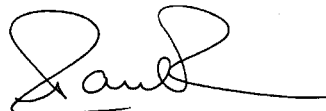
The applicant must dedicate the 25 foot radius corners at the intersection of NW 27 Ave. and NW 66 St. and the intersection of NW 27 Ave. and NW 65 St.

Gates are to remain open during hours of operation.

Landscaping and fences must comply with safe site distance triangle requirements set forth in Sec. 33-11 of the Miami-Dade County Code.

Since this development abuts a State maintained road (NW 27 Ave.), the applicant must contact the district office at 305-470-5367, certain restrictions may apply.

This project meets traffic concurrency because it lies within the urban infill area where traffic concurrency does not apply.



Raul A Pino, P.L.S.

28-JUL-04



C-08

MIAMI-DADE FIRE RESCUE
Planning & Capital Improvements Bureau
ZONING COMMENTS

Hearing Number: 204-113

Plans: ☐ Yes ☐ No Request: _____

Location: ES of NW 27 Ave + Bet NW 65 + NW 66 St.

Recommendation: ☒ Approved
☐ Approved with conditions
☐ Approved with no change from previous submittal
☐ Denial
☐ Defer to DIC comments

* _____

Estimated number of alarms generated annually by application: 8

If there is an impact, below is the service availability:

Station District 2 Grid 0862 DU(SF) 33541 Occupancy Type 3

Impact of additional calls on closest station: ☐ No Impact
☒ Minimal Impact
☐ Moderate Impact
☐ Severe Impact

Planned Service to Mitigate:

Service	Location	Year to be Completed
_____	_____	_____

☒ None

THIS REVIEW IS FOR SERVICE IMPACT AND SERVICE AVAILABILITY ONLY AND DOES NOT CONSTITUTE NOR IMPLY SITE PLAN APPROVAL.

ALL SITE PLANS MUST BE REVIEWED AND APPROVED BY THE MIAMI-DADE FIRE RESCUE FIRE WATER & ENGINEERING BUREAU LOCATED AT 11805 SW 26 ST. BASED UPON THAT REVIEW, SITE PLANS MAY NEED MODIFICATION TO COMPLY WITH LIFE-SAFETY STANDARDS.

Reviewed by: Kathryn Lyon
Kathryn Lyon

Phone: (786) 331-4546

Date: 4-27-04
Revised 3/9/04 BJM

TEAM METRO NORTHSIDE OFFICE

ENFORCEMENT HISTORY

ANTONIO SANCHEZ

LYING ON THE EASTSIDE OF
NW 27 AVE & SOUTHSIDE OF
NW 66 ST, MIAMI-DADE
COUNTY, FLORIDA

APPLICANT

ADDRESS

11-16-2004

HEARING DATE

04-113

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

CASE # 200404004776

11-2-2004 No violations observed.

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
NA	

Date of contract: _____


If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *[Signature]*
(Applicant)

Sworn to and subscribed before me this 16 day of March, 2004. Affiant is personally known to me or has produced *[Signature]* as identification.

[Signature]
(Notary Public)
 **Gladette L. Waters**
My Commission DD183398
Expires March 13, 2007

My commission expires _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
NA	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
NA	
_____	_____
_____	_____
_____	_____
_____	_____

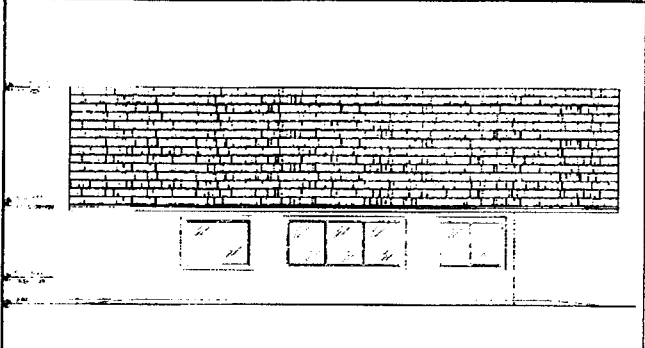
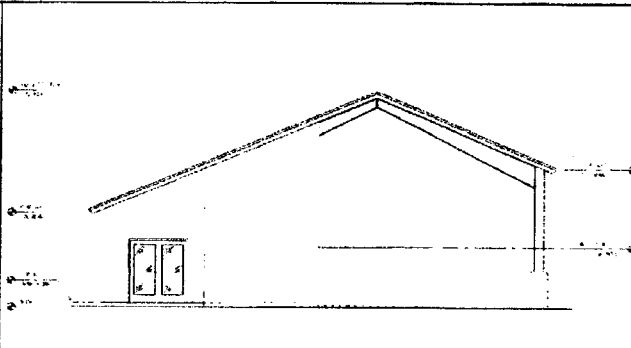
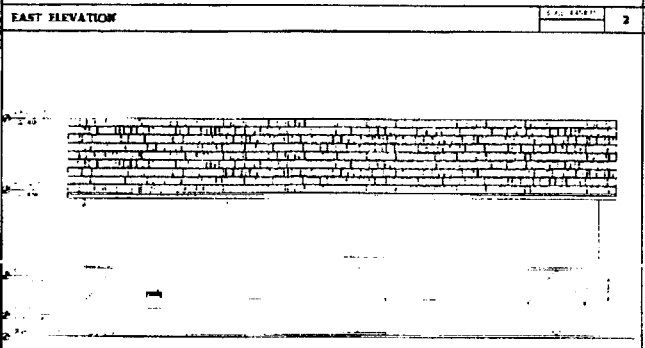
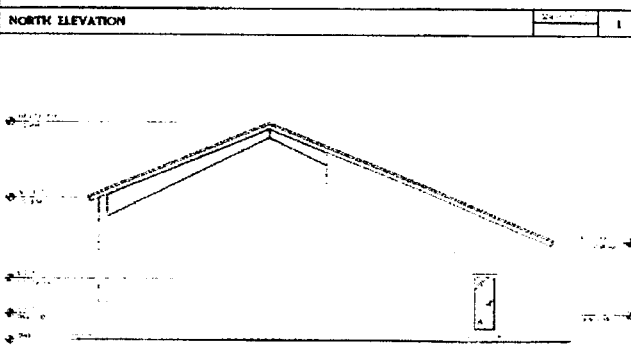
If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

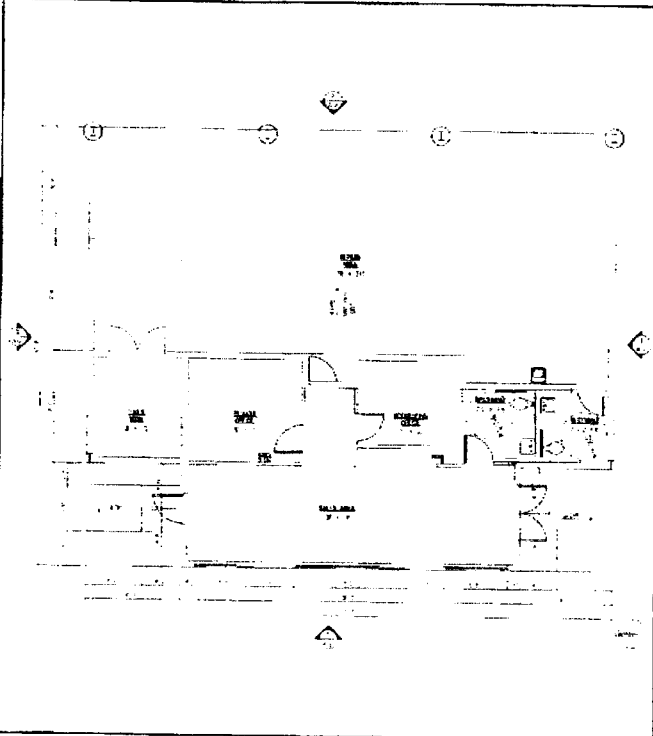

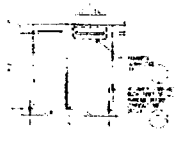
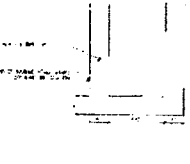
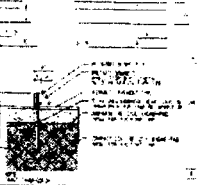

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

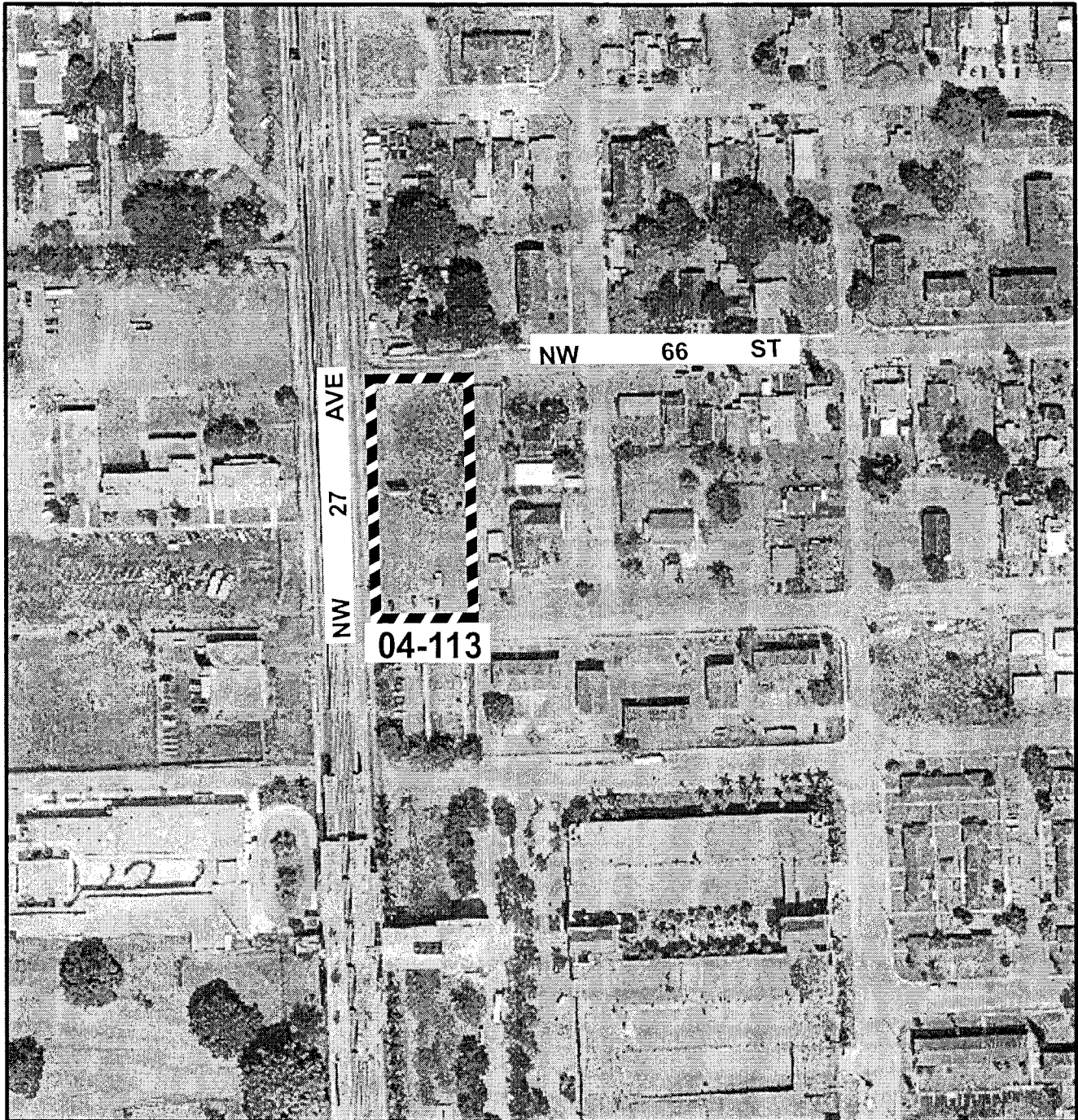
<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
NA	
_____	_____
_____	_____
_____	_____
_____	_____



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EAST ELEVATION		NORTH ELEVATION																													
																															
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DATE 03-20-04		DATE 03-20-04																													

		 HANDICAPPED SIGN ELEVATION SHEET NO. 2		 TYPICAL PARKING DETAIL SHEET NO. 1	
		 ELASTOMERIC STRIPING DETAIL SHEET NO. 4		 WHEEL STOP DETAIL SHEET NO. 3	
		 TYP. HANDICAPPED PARKING DETL SHEET NO. 5		NOT USED SHEET NO. 6	
		FLOOR PLAN SHEET NO. 7		NOT USED SHEET NO. 8	
TRUCK SALES OF MIAMI OFFICE 1200 N. MIAMI AVE. MIAMI, FL 33136		Offerle-Lerner, AIA ARCHITECTS AND PLANNERS 1200 N. MIAMI AVE. MIAMI, FL 33136		SHEET NO. 9 DATE: 03/25/04	



MIAMI-DADE COUNTY

AERIAL

Section: 15 Township: 53 Range: 41

Process Number: 04-113

Applicant: ANTONIO SANCHEZ

District Number: 02

Zoning Board: C08

Drafter ID: CIRO

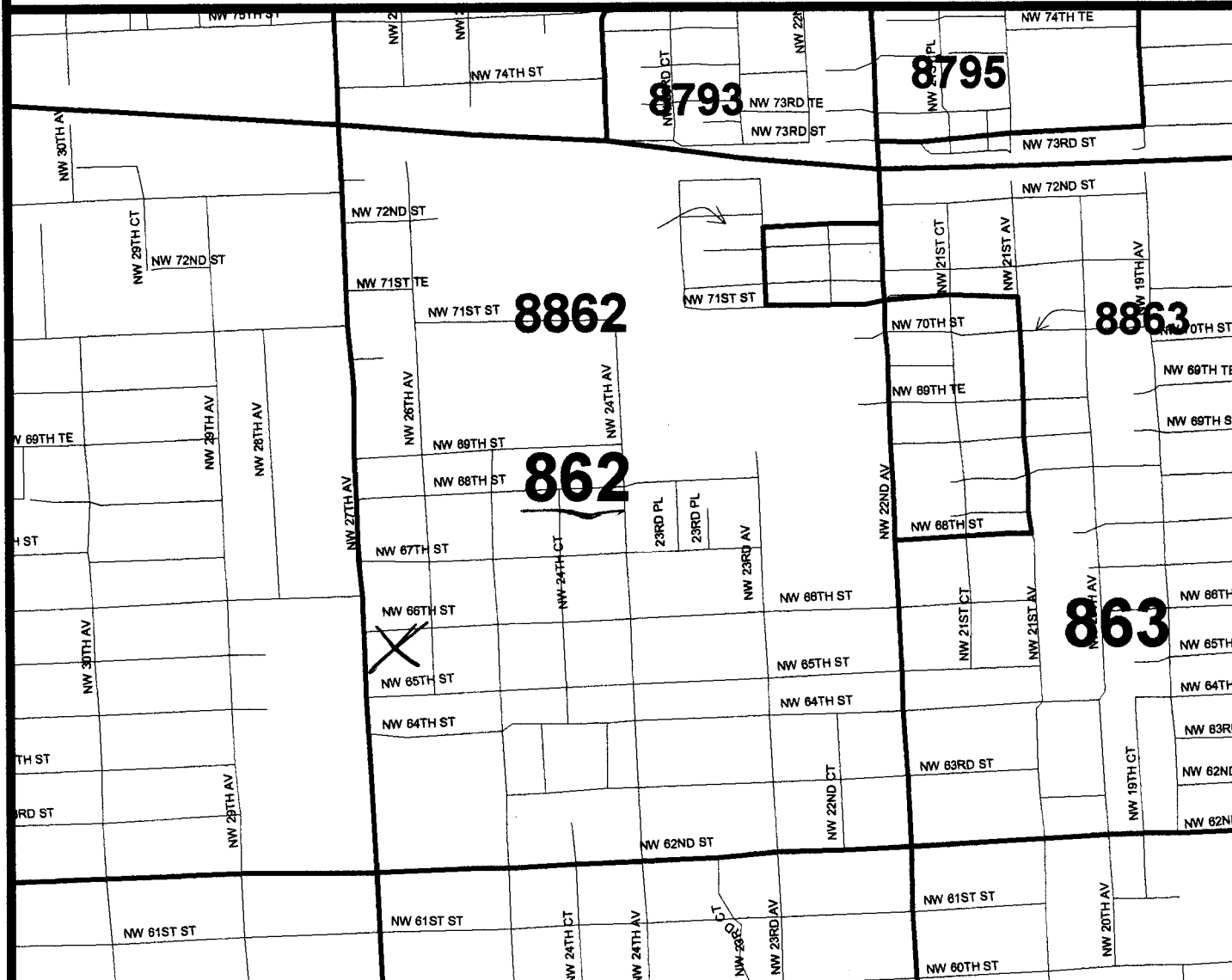
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S C A L E
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SUBJECT PROPERTY





 Police Grids Boundaries
 Boundary

MDPD Crime Analysis System
May 10, 2004
Data in this document represents
successfully geocoded attributes.



Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/02 Thru 2002-12-31



Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862	13	SPECIAL INFORMATION/ASSIGNMENT	332
	14	CONDUCT INVESTIGATION	599
	15	MEET AN OFFICER	1011
	17	TRAFFIC ACCIDENT	64
	18	HIT AND RUN	20
	19	TRAFFIC STOP	247
	20	TRAFFIC DETAIL	7
	21	LOST OR STOLEN TAG	31
	22	AUTO THEFT	49
	25	BURGLAR ALARM RINGING	74
	26	BURGLARY	83
	27	LARCENY	27
	28	VANDALISM	17
	29	ROBBERY	35
	30	SHOOTING	3
	32	ASSAULT	208
	33	SEX OFFENSE	4
	34	DISTURBANCE	348
	36	MISSING PERSON	32
	37	SUSPICIOUS VEHICLE	6
	38	SUSPICIOUS PERSON	11
	39	PRISONER	214

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/02 Thru 2002-12-31



Detail Filter: (Dis.Complaint Date >= "2002-01-01" and Dis.Complaint Date < "2003-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862.	41	SICK OR INJURED PERSON	36
	43	BAKER ACT	10
	44	ATTEMPTED SUICIDE	2
	45	DEAD ON ARRIVAL	3
	47	BOMB OR EXPLOSIVE ALERT	1
	49	FIRE	12
	52	NARCOTICS INVESTIGATION	115
	54	FRAUD	16
	55	WEAPONS VIOLATION	3
Total Signals for Grid 0862 :			3620
Total Reported: 2467			Total Not Reported: 1153

Total for All Grids : 3620

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/03 Thru 2003-12-31



Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862	13	SPECIAL INFORMATION/ASSIGNMENT	308
	14	CONDUCT INVESTIGATION	457
	15	MEET AN OFFICER	938
	16	D.U.I.	2
	17	TRAFFIC ACCIDENT	63
	18	HIT AND RUN	10
	19	TRAFFIC STOP	181
	20	TRAFFIC DETAIL	8
	21	LOST OR STOLEN TAG	15
	22	AUTO THEFT	65
	25	BURGLAR ALARM RINGING	51
	26	BURGLARY	84
	27	LARCENY	52
	28	VANDALISM	26
	29	ROBBERY	42
	30	SHOOTING	2
	32	ASSAULT	226
	33	SEX OFFENSE	9
	34	DISTURBANCE	372
	36	MISSING PERSON	41
	37	SUSPICIOUS VEHICLE	9
	38	SUSPICIOUS PERSON	10

Miami-Dade Police Department

Summarized Grid Information By Signal

For 1/1/03 Thru 2003-12-31



Detail Filter: (Dis.Complaint Date >= "2003-01-01" and Dis.Complaint Date < "2004-01-01") and (Dis.Grid in ("0862")) and (Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")) and (Dis.Primary Unit not contains '0000') and (Dis.Primary Unit not contains 'SB') and (Dis.Reporting Agency Code = substring ("030", 1, 3))

Miami-Dade Police Department

Crime Information Warehouse

Grid	Signal Code	Signal Description	Total
0862.	39	PRISONER	143
	41	SICK OR INJURED PERSON	58
	43	BAKER ACT	6
	44	ATTEMPTED SUICIDE	3
	45	DEAD ON ARRIVAL	2
	49	FIRE	15
	52	NARCOTICS INVESTIGATION	78
	53	ABDUCTION	1
	54	FRAUD	14
	55	WEAPONS VIOLATION	7
Total Signals for Grid 0862 :			3298
Total Reported: 2327			Total Not Reported: 971

Total for All Grids : 3298

**MIAMI-DADE POLICE DEPARTMENT****Part I and Part II Crimes w/o AC****Reporting Agency: MDPD****From 1/1/02 Thru 1/1/03****YEAR: 2002**

Miami-Dade Police Department

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART I Crimes	Total Crimes
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	1
110B - SODOMY	1
110C - FONDLING	1
1200 - ROBBERY	43
130A - AGGRAVATED ASSAULT	54
2200 - BURGLARY	40
230C - SHOPLIFTING	1
230F - SHOPLIFTING FROM A MOTOR VEHICLE	33
230G - SHOPLIFTING ALL OTHERS	61
2400 - MOTOR VEHICLE THEFT	15



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT

Part I and Part II Crimes w/o A

Reporting Agency: MDPD

From 1/1/02 Thru 1/1/03

YEAR: 2002

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART II Crimes	Total Crimes
2000 - ARSON	2
130B - SIMPLE ASSAULT	75
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	116
350B - ILLEGAL DRUG EQUIPMENT	9
260A - FRAUD CON/SWINDLE/FALSE PRET.	6
260B - FRAUD CREDIT CARD/ATM	1
260D - IMPERSONATION	3

Grand Total: 463

Detail Filter: Ol.Incident From Date Time >= "2002-01-01" and Ol.Incident From Date Time < "2003-01-01" and Ol.Offense.Ucr Code in ('090A', '1200', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000', '110A', '110B', '110C') and Ol.Aoa Agency Code = '000' and Ol.Clearance Type Description <> 'UNFOUNDED' and Ol.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and Ol.Grid in ("0862")) and Ol.Reporting_Agency_Code = "030"



Miami-Dade Police Department

MIAMI-DADE POLICE DEPARTMENT

Part I and Part II Crimes w/o A

Reporting Agency: MDPD

From 1/1/03 Thru 1/1/04

YEAR: 2003

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART I Crimes	Total Crimes
090A - MURDER - NONNEG MANSLAUGHTER	1
110A - RAPE	3
110B - SODOMY	1
1200 - ROBBERY	38
130A - AGGRAVATED ASSAULT	57
2200 - BURGLARY	34
230C - SHOPLIFTING	1
230F - SHOPLIFTING FROM A MOTOR VEHICLE	23
230G - SHOPLIFTING ALL OTHERS	68
2400 - MOTOR VEHICLE THEFT	27



MIAMI-DADE POLICE DEPARTMENT
Part I and Part II Crimes w/o AO
Reporting Agency: MDPD
From 1/1/03 Thru 1/1/04
YEAR: 2003

Miami-Dade Police Department

Crime Information Warehouse

Prompt Variable Used: All County: N

Grid(s): 0862

PART II Crimes	Total Crimes
1000 - KIDNAPPING - ABDUCTION	4
2000 - ARSON	4
130B - SIMPLE ASSAULT	57
350A - NARCOTIC BUY/SELL/POSS/IMPORT/MANUF	92
350B - ILLEGAL DRUG EQUIPMENT	13
260A - FRAUD CON/SWINDLE/FALSE PRET.	1
260B - FRAUD CREDIT CARD/ATM	1
260D - IMPERSONATION	5

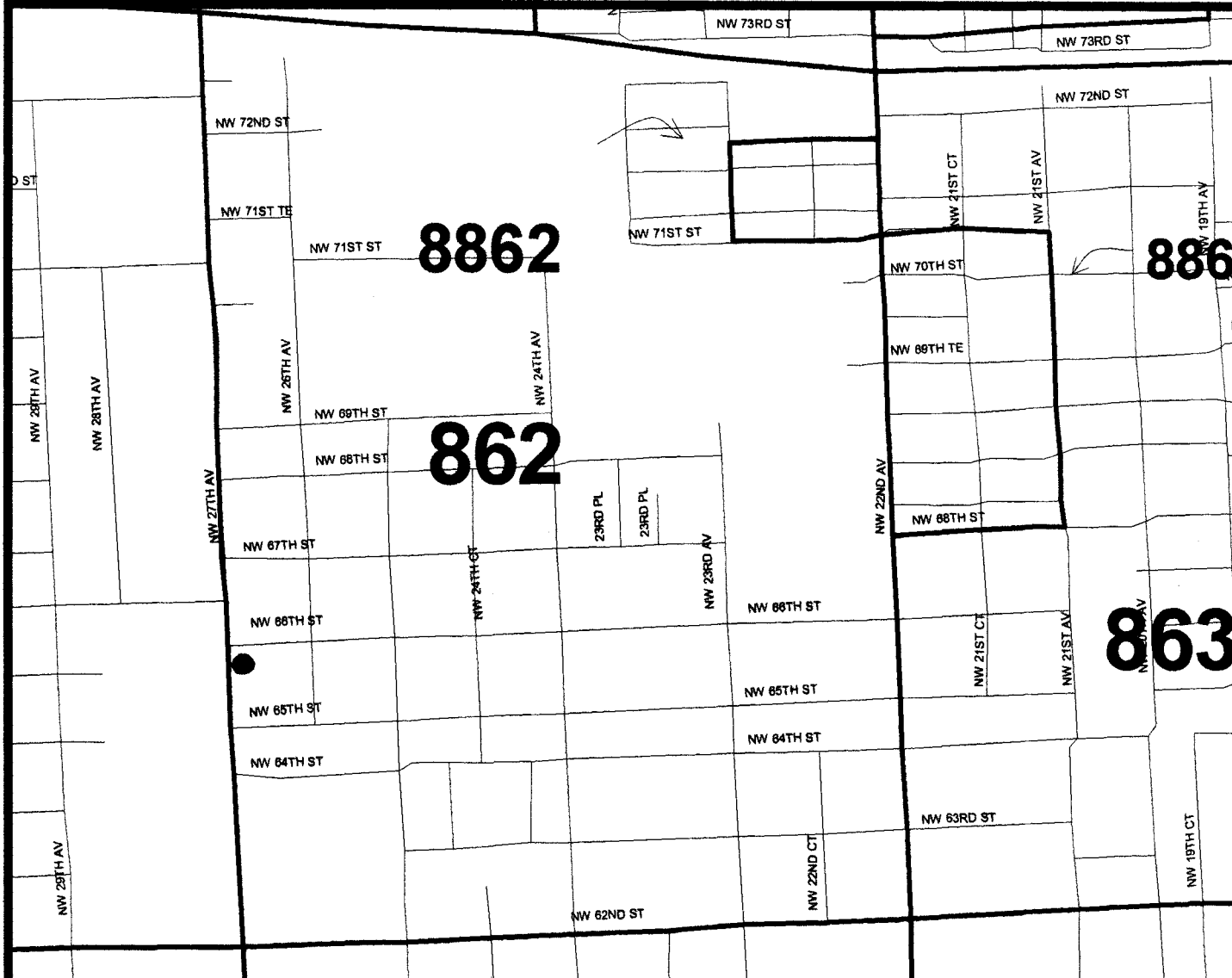
Grand Total: 430

Detail Filter: OI.Incident From Date Time >= "2003-01-01" and OI.Incident From Date Time < "2004-01-01" and OI.Offense.Ucr Code in ('090A', '1200', '130A', '130D', '2200', '230A', '230B', '230C', '230D', '230E', '230F', '230G', '2400', '090C', '130B', '130E', '350A', '350B', '5100', '2700', '260A', '260B', '260D', '260E', '260F', '1000', '2000', '110A', '110B', '110C') and OI.Aoa Agency Code = '000' and OI.Clearance Type Description <> 'UNFOUNDED' and OI.Report Written YN = 'Y' and (All County = 'Y' or All County = 'N' and OI.Grid in ("0862")) and OI.Reporting_Agency_Code = "030"

BCC



Miami-Dade Police Department
Target Area - Police Grid(s): 0862
Antonio Sanchez; Hearing # 04-113



Police Grids Boundaries
 Boundary

MDPD Crime Analysis System
February 23, 2005
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department

Zoning Hearing Report - Dispatch Information

For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid In ("0138", "0650", "0651", "0862")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2003		2004
Grid	Signal Code	Signal Description		
0862	13	SPECIAL INFORMATION/ASSIGNMENT		308 227
	14	CONDUCT INVESTIGATION		457 419
	15	MEET AN OFFICER		938 958
	16	D.U.I.		2 1
	17	TRAFFIC ACCIDENT		63 47
	18	HIT AND RUN		10 21
	19	TRAFFIC STOP		181 221
	20	TRAFFIC DETAIL		8 7
	21	LOST OR STOLEN TAG		15 24
	22	AUTO THEFT		65 64
	25	BURGLAR ALARM RINGING		51 73
	26	BURGLARY		84 83
	27	LARCENY		52 45
	28	VANDALISM		26 31
	29	ROBBERY		42 25
	30	SHOOTING		2 4
	32	ASSAULT		226 226
	33	SEX OFFENSE		9 9
	34	DISTURBANCE		372 436
	35	INTOXICATED PERSON - MYERS ACT		0 1
	36	MISSING PERSON		41 54
	37	SUSPICIOUS VEHICLE		9 15
	38	SUSPICIOUS PERSON		10 8
	39	PRISONER		143 109
	41	SICK OR INJURED PERSON		58 78
	43	BAKER ACT		6 8



Miami-Dade Police Department

Zoning Hearing Report - Dispatch Information

For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0138" "0650" "0651" "0862")) and ((Dis.Signal Code in ("13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55") or ('ALL' in ("13" "14" "15" "16" "17" "18" "19" "20" "21" "22" "23" "24" "25" "26" "27" "28" "29" "30" "31" "32" "33" "34" "35" "36" "37" "38" "39" "40" "41" "42" "43" "44" "45" "46" "47" "48" "49" "50" "51" "52" "53" "54" "55"))) and Common

		2003	2004	
Grid	Signal Code	Signal Description		
0862	44	ATTEMPTED SUICIDE	3	4
	45	DEAD ON ARRIVAL	2	3
	47	BOMB OR EXPLOSIVE ALERT	0	3
	49	FIRE	15	12
	52	NARCOTICS INVESTIGATION	78	134
	53	ABDUCTION	1	1
	54	FRAUD	14	11
	55	WEAPONS VIOLATION	7	5
Total Signals for Grid 0862 :			3,298	3,367



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2003 and 2004



Miami-Dade Police Department

Grid(s): 0138, 0650, 0651, 0862

2003 2004

Grid 0862					
Part I					
130A		AGGRAVATED ASSAULT		57	51
2200		BURGLARY		34	31
110C		FONDLING		0	1
2400		MOTOR VEHICLE THEFT		27	19
090A		MURDER - NONNEG MANSLAUGHTER		1	2
110A		RAPE		3	3
1200		ROBBERY		38	24
230C		SHOPLIFTING		1	3
230G		SHOPLIFTING ALL OTHERS		68	48
230F		SHOPLIFTING FROM A MOTOR VEHICLE		23	20
110B		SODOMY		1	1
Part I TOTAL				253	203
Part II					
2000		ARSON		4	5
260A		FRAUD CON/SWINDLE/FALSE PRET.		1	5
260B		FRAUD CREDIT CARD/ATM		1	3
350B		ILLEGAL DRUG EQUIPMENT		13	7
260D		IMPERSONATION		5	0
1000		KIDNAPPING - ABDUCTION		4	0
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MANUF		92	150
130B		SIMPLE ASSAULT		57	71
Part II TOTAL				177	241
Grid 0862 TOTAL				430	444

Date: September 1, 2005

Memorandum



To: Roosevelt Bradley, Director
Miami-Dade Transit

From:  Diane O'Quinn Williams, Director
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Mass Transit

The blanket level of service/concurrency authorization for mass transit issued by your office last year expires on September 30, 2005. Please issue another blanket concurrency authorization effective for one year if there is sufficient surplus capacity to sustain projected development for one year.

The authorization must be issued prior to September 30, 2005, so that we may continue reviewing concurrency applications on your behalf, otherwise, we will have to refer all zoning and permit applications to your department of concurrency review. If there is not sufficient surplus capacity for one year, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2589.

DO'QW:hab

cc: A. Torres
L. Itzkoff
L. Talleda
M. T. Fojo
H. Brown

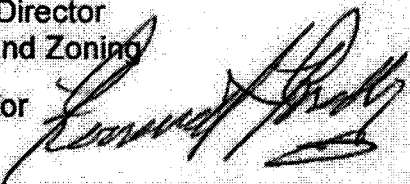
RECEIVED
SEP 07 2005
DIRECTOR
MIAMI-DADE TRANSIT

Memorandum



Date: September 30, 2005

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Roosevelt Bradley, Director
Miami-Dade Transit 

Subject: FY-06 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2005 to September 30, 2006, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Albert Hernandez, Deputy Director
MDT Planning and Engineering
Mario G. Garcia, Chief
MDT Systems Planning Division
Helen A. Brown, Concurrency Administrator
Department of Planning and Zoning

Memorandum



Date: January 18, 2005

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Roosevelt Bradley, Director
Miami-Dade Transit

A handwritten signature in black ink, appearing to read "Roosevelt Bradley", written over the "From:" line.

Subject: FY05 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County line. Please, ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT staff.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2004 to September 30, 2005, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

cc: George Navarrete
Mario G. Garcia

✓ *H. Brown*
Memorandum

**MIAMI-DADE
COUNTY**

Date: December 2, 2004

To: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

From: *AV* Vivian Donnell Rodriguez, Director
Park and Recreation Department

Subject: Update for Blanket Concurrency Approval

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DEC 14 2004

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Memorandum

MIAMI-DADE
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



MEMORANDUM

*Original to Helen Proulx
cy to Al Jones*

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal
Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

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SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING

BY _____

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 2002-2003

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash	Trash	
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	938,000	198,000	17,000	119,000	804,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,838,000
2004 **	1,715,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2007	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2008	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2009	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2010	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500
2011	1,705,500	938,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	283,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL
* TOTAL @ 1.84M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
** TOTAL @ 1.72M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
*** TOTAL @ 1.71M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)

TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,688,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,812,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
=====										
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
=====										
T:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520

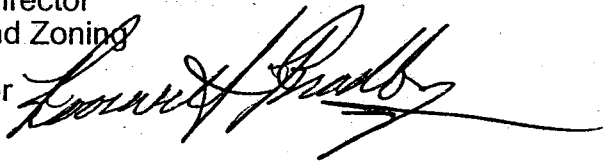
Memorandum

MIAMI-DADE
COUNTY

Date: January 18, 2005

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Roosevelt Bradley, Director
Miami-Dade Transit



Subject: FY05 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County line. Please, ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT staff.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2004 to September 30, 2005, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

cc: George Navarrete
Mario G. Garcia

✓ *H. Brown*
Memorandum

**MIAMI-DADE
COUNTY**

Date: December 2, 2004

To: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

From: *dm*
Vivian Donnell Rodriguez, Director
Park and Recreation Department

Subject: Update for Blanket Concurrency Approval

RECEIVED

DEC 14 2004

**MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING**

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Memorandum

MIAMI-DADE
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



MEMORANDUM

*Original to Helen Proctor
y to Al Jones*

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal
Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED
SEP 18 2003

ZONING SERVICES DIVISION, MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING

BY _____

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 2002-2003

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash	Trash	
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	804,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	273,500	395,000	100,000	0	1,715,500
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2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
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2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL
* TOTAL @ 1.84M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)
** TOTAL @ 1.72M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)
*** TOTAL @ 1.71M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)

TOTAL WASTE STREAM PERCENTAGES @1.84 MILLIONS TONS

GARBAGE 54.3%	997,000
TRASH 44.4%	816,000
SPECIAL (includes Tires) 1.3%	24,000
TOTAL	1,837,000

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520



MEMORANDUM

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: *Roosevelt Bradley*
Roosevelt Bradley, Director
Miami Dade Transit

DATE: October 14, 2003

SUBJECT: FY04 Blanket
Concurrency Approval
for Transit

This memo serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your Department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your Department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the level-of-service standards (LOS) for mass transit established in the above referenced County rules and regulations.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period October 1, 2003 to September 30, 2004, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at 375-1193. Your continued cooperation on these important matters is greatly appreciated.

CC: Aurelio Rodriguez, P.E.
Mario G. Garcia

RECEIVED
OCT 21 2003

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

03 OCT 17 PM 4:17
MIAMI-DADE COUNTY
FLORIDA

PROCESSED BY
OFFICE OF THE
COUNTY MANAGER

MEMORANDUM

Helen
B.

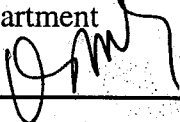
TO: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

DATE: September 18, 2003

FROM: Vivian Donnell Rodriguez, Director
Park and Recreation Department

SUBJECT: Concurrency Approval

18



This memorandum updates the blanket concurrency approval memo of August 6, 2002. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until September 30, 2004. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD



MEMORANDUM

cy to Al Jones

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

DATE: September 12, 2003

SUBJECT: Solid Waste Disposal
Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

RECEIVED
SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING

BY _____



MEMORANDUM

07-07-17A MIAMI-DADE COUNTY MAY 1999

TO: Guillermo E. Olmedillo, Director
Building & Zoning Department

DATE: May 3rd, 1999

SUBJECT: Concurrency
Approval

FROM: Earl L. Carlton, Captain
Fire Engineering & Water Supply Bureau

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied.

ELC/ser

Department of Solid Waste Management (DSWM)

Solid Waste Facility Capacity Analysis

Fiscal Year 2002-2003

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash		
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2003 *	1,837,000	936,000	196,000	17,000	119,000	804,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
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RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL
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TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS

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SPECIAL (includes Tires) 1.3%	24,000
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REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

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2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 800,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2003 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	476,880	25,585	502,465	1,381.77	1,198.25	702.34	85.32	1,985.91	604.14	1.437
2	563,033	19,245	582,278	1,601.24	1,564.11	508.33	139.79	2,212.23	610.99	1.381
3	141,699	24,607	166,306	457.33	578.93	177.20	6.90	763.03	305.70	1.668
TOTAL	1,181,612	69,437	1,251,049	3,440.34	3,341.29	1,387.87	232.01	4,961.17	1,520.83	1.495